

EXTENSIONS OF REMARKS

A CRISIS IN STRATEGIC MATERIALS

HON. WM. S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. BROOMFIELD. Mr. Speaker, the security of America's sources of energy and raw materials is critical to our defense and our economy. Since the United States and its allies are becoming increasingly dependent upon imports of vital resources, we are facing what is rapidly becoming a crisis in strategic raw materials. At the same time, the Soviet Union is as independent of foreign sources of strategic materials as the United States is dependent on them. Moreover, the Soviets continue to influence countries with critical resources, the loss of which could have the severest consequences to Western security interests. In this regard, I commend to my colleagues the following testimony recently provided to the Interior and Insular Affairs' Mines and Mining Subcommittee by Alexander M. Haig, Jr., former commander of NATO forces in Europe and now president and chief operating officer, United Technologies Corp.

TESTIMONY BY ALEXANDER M. HAIG, JR.

Mr. Chairman and Members of the Committee. I am grateful for this opportunity to appear before you and to offer my views on our national plight on strategic materials. These views will reflect not only my limited recent experience as President and Chief Operating Officer of United Technologies Corporation, the nation's third largest defense contractor, but perhaps more importantly, some thirty-five years of public service in the national security area. The latter experience included 4 years duty with the National Security Council and almost five years as the Commander of NATO forces in Europe.

At the outset, Mr. Chairman, I should like to compliment you for the way you have drawn attention to the gravity of a problem of fundamental significance not only to the United States but also to those industrialized states worldwide sharing our values.

Personally, I have long been troubled by what is rapidly becoming a crisis in strategic and critical materials—a crisis rooted in our own and our allies' dependence on imports for key materials.

The United States is inordinately and increasingly dependent on foreign sources of supply for many of the raw materials critical to our defense and our economy. In 1950, only 4 of the 13 basic industrial raw materials were imported in quantities of 50 percent or more. Today, we have reached that level of import for 9 of the same 13 materials. But as serious as the problem is to us, it is far more so to our industrialized allies and friends around the world. For example, the nations of the European Economic Community have total import dependence on ten strategic minerals and metals—including manganese, cadmium, cobalt and chromium.

Japan imports 100 percent of 11 so-called strategic materials.

In the same context, it is significant to note that the Soviet Union has a comparable dependency—(approximately 50 percent)—for only three such materials and metals—bauxite/alumina, barium and fluoride. Conversely, the Soviets are net exporters of 20 materials, among which is chromium, platinum group metals, and manganese. The fundamental observation to be drawn from these strategic realities is that Russia is nearly self-sufficient in materials for which we and our allies must turn to external sources, many of which today are either unfriendly or unstable. Should future trends, especially in Southern Africa, result in alignment with Moscow of this critical resource area, then the USSR would control as much as 90 percent of several key minerals for which no substitutes have been developed and the loss of which could bring the severest consequences to the existing economic and security framework of the free world.

As one assesses the recent step up of Soviet Proxy activity in the third world—in Angola, Ethiopia, Southern Yemen, Northern Yemen, Southeast Asia, Central America and the Caribbean, and the December 1979 unprecedented invasion of Afghanistan by regular Soviet forces—then one can only conclude that the era of the "resource war" has arrived.

The question of how best to deal with the ominous increase in direct and indirect illegal Soviet interventionism in the third world is clearly one for consideration in other venues. Nevertheless, our foreign policy in the Near and Middle East, and Africa, and elsewhere, has not adequately followed the new reality of free world raw material dependency.

Notwithstanding, in the realm of strategic materials there is an urgent need for the United States to provide "a natural resources leadership" both within the NATO alliance as well as among other friendly non-NATO nations. With respect to NATO, our leadership would emphasize that whether or not the alliance chooses to formally expand its boundaries to the areas of third world resource conflict, it will be increasingly and profoundly influenced by events within these areas.

If we are successful in this effort, the result will be expanding coordination within the Alliance leading to concerted assessments and policies beyond NATO's boundaries. The threat to NATO, our principal security framework, demands that if the Alliance is to continue as an effective organization, it must broaden its horizons. While it need not extend its mandate formally, improved coordination between its most seriously affected powers is an essential minimum. In this process, Washington must inspire, persuade, urge and cajole its partners to make the "hard decisions" free of bullying insensitivity.

But a favorable response from our allies depends on order in the American House. If we continue to appear impotent in dealing with our own resource problems, pretensions of international leadership will be derided.

Thus, we must also look within our own borders for part of the answer. We must seek domestic sources for non-fuel materials. There is simply too much at stake for America and the rest of the free world to

rely heavily on overseas sources, many of them volatile, others with political systems inimical to ours.

From the standpoint of our national and international strategic interests, it strikes me as inconceivable that we would shut off opportunities to seek our domestic deposits of the strategic materials we need. Yet precisely that has been the effect, whether intended or not, of our federal land management policies. By the actions of our own government, fully two-thirds of our mineral lands have been withdrawn from possible exploration.

The government owns one-third of the nation's land. It is estimated that federal lands contain about 85 percent of our oil reserves and a large share of gas, timber, and scarce minerals. We do not know for sure how much of these resources actually exist on lands being considered for wilderness designation within the 50 states. One thing is certain: If this land is cordoned off from exploration, we'll never find out what minerals it can yield.

Many of us in industry were elated by passage of the Idaho Wilderness Legislation, providing for development of any cobalt resources discovered in the West Panther Creek area. We at United Technologies are appreciative, Mr. Chairman, of your leadership in this important legislative issue. This is truly landmark legislation. It recognizes for the first time that we can strike a balance between the need for domestic supplies of critical materials and for preserving and protecting our wilderness. This legislation could lead to production of cobalt in the United States for the first time in three decades.

We are also encouraged by the progress of the California Wilderness Bill, H.R. 7702, which has just cleared the House. The lands involved in California could provide potentially rich deposits of cobalt, nickel, and chromium. We strongly support this legislation. I hope most earnestly that it will be passed by the Senate during this session.

Sources of the strategic materials America needs have been developed so fully overseas because of the low labor costs and rich ore deposits found in those countries. But that doesn't mean such materials aren't available right here in the United States. The fact is, they do exist. And we should go after them.

To be sure, it will take huge capital investments to explore for and develop our own domestic deposits. The costs will be high—for the same reason that it costs much more to extract oil from our shale deposits in the West than it does to withdraw crude oil from the ground in the Mid East. But the price we will pay if we do not go ahead will be great indeed, striking at the very heart of our national security interests and our economy.

Another aspect of our domestic resource efforts should focus on conservation and substitution. Industrial users are bending substantial efforts to design strategic or critical materials out of their products. Take, for example, our company's Pratt & Whitney Aircraft Group, the world's leading builder of jet engines. Design in one of our military engines has been modified to replace a cobalt superalloy used for turbine blades with a cobalt-free nickel alloy. This change resulted in the saving of 65,000 pounds of cobalt last year in just one spare parts order. For our most widely used commercial engine, we are projecting that work

in progress will reduce the need for cobalt by 30 to 35 percent starting next year.

Through stepped up conservation and reclamation, we are reducing our raw materials requirements considerably. With conventional forging practices, as much as 75 percent of the material is machined away into chips. Today, however, chips of alloy containing cobalt, titanium, nickel and chromium are carefully segregated and recycled.

But, while domestic substitutes and conservation are important, they cannot in the foreseeable future reach to the heart of the problem faced by the United States and its allies who must continue to rely excessively for essential materials from the third world "resource battlegrounds."

Mr. Chairman and Members of the Committee: There is no easy solution. There is no single route to the answers we seek. A non-fuel mineral policy for ourselves and our allies is long overdue. It must be built on a comprehensive, all embracing resource program whose essential elements include formulation of a non-fuel minerals policy of domestic and international scope and involving:

Revitalized United States leadership within NATO and other industrialized states seeking concerted free world resource management.

Stepped up exploration and development of domestic deposits in a way that achieves a balance between our vital resource needs and the necessity to preserve and protect our environment and wilderness areas.

Accelerated efforts in conservation and substitution through the application of technology.

Thank you, Mr. Chairman.●

HATS OFF TO HUMMEL JUNIOR ALL STARS

HON. WILLIAM R. RATCHFORD

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. RATCHFORD. Mr. Speaker, I would like to take this opportunity to congratulate the George J. Hummel Little League Junior Girls All Stars on their outstanding performance during the Little League softball world series held last month in Kalamazoo, Mich. This fine team from Seymour, Conn., finished second in the Nation out of 1,400 junior girls teams, an unprecedented and praiseworthy achievement.

These young athletes combined hard work, enthusiasm, and determination to produce an impressive list of accomplishments. Beginning with their district and State championships, the All Stars continued to dominate the winner's circle with victories in both the New England and eastern regional finals. Their loss to Glendale, Calif., in the world series finals was unfortunate, but these remarkable young women mastered their disappointment and displayed the highest values of athletic competition.

I applaud the members of this championship team: Jennifer Burns, Kelly Connors, Chris Cweklinsky, Laura Konnik, Michele Leggio, Margaret Nolan, Jody Podgorski, Jodi Radcliffe, Stacey Schofield, Judy Sizensky, Michele St. Louis, Ellen Synniewski,

Wendy Tkacz, and Allison Yaeger. Tremendous credit also belongs to the team's coach, Mel St. Louis, and manager, Bob LePardo. Their patient guidance and unselfish devotion to the team were, and continue to be, invaluable contributions.

Congratulations and the best of luck in the future.●

HICKSVILLE JEWISH CENTER REACHES A SIGNIFICANT MILESTONE

HON. NORMAN F. LENT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. LENT. Mr. Speaker, our great Nation is noted for the strength of its religious, cultural, and educational institutions; strength achieved through the dedicated efforts and sacrifices of our free citizens, working together to realize their dreams for the future.

One such dream is coming true next month in Hicksville, N.Y., in the Fourth Congressional District I have the honor to represent. I call this event to the attention of my colleagues as a fine example of the faith, dedication, and community effort and sacrifice which have contributed so much to the enrichment of America's religious, cultural, and educational heritage.

On November 15, the congregation of the Hicksville Jewish Center will celebrate the 25th anniversary of the founding of the center. This silver anniversary—itsself a significant milestone in the history of the center—will feature an added ceremony of great significance to the congregation, and their rabbi, Joseph Grossman. The congregation will burn the mortgage for the center, signifying the end of indebtedness for the construction of the center.

That ceremony will mark the culmination of 25 years of hard work, sacrifice, and dedicated community effort. A member of the congregation, Mrs. Marilyn Cohen, vice president of the ways and means committee of the center, has written an account of those years, which I request be included in my remarks at this point:

THE HISTORY OF THE HICKSVILLE JEWISH CENTER

In the beginning was a dream. A small group of Jewish families newly settled in the Hicksville-Levittown, area, felt the age-old need to set down roots, and to raise a monument to their faith. They first met in September of 1953, to discuss plans for a place of worship, which would be a community center, and in which their children could receive a proper Jewish education. Most of the families who became charter members that day are still with us. A rare phenomena in temple development.

The first step in the realization of the dream was the acquisition of the land on which to build. At a time when fifty dollars represented a small fortune to most of them, fifty families each donated that amount to pay for the land. During this

time Sabbath services, Congregation meetings and Sunday school classes were conducted in the basements of several members homes. Later, there was a room over a store opposite the firehouse, and then a store on Bloomingdale Road. Elections were held at the American Veterans Hand then at the American Legion Hall over the firehouse. In 1954, the land purchase was made, and High Holiday Services were held in a tent on the site. Sawdust was sprinkled over the rain-muddied ground, and the exuberant members celebrated the breaking of the fast at the conclusion of Yom Kippur with a square dance.

The architect's plan called for a L-shaped building, which would have to be constructed in two parts, as funds became available. The smaller section now known affectionately as the "old building" was constructed first, and achievement of miraculous proportions considering that the membership consisted of only eighty-five families. They celebrated their first High Holiday Service in the building in 1958, and the same year Rabbi Joseph Grossman became our spiritual leader.

As the general membership grew, the dream of the complete larger Temple came closer, and was finally realized in 1965, when the "new building" was dedicated. No one who was part of the event will ever forget it: the parade up Jerusalem Avenue with banners flying and three Torahs and the chupa proudly carried; the laying of the cornerstone and the cutting of the ribbon to the new entrance; all the joy and excitement of the day the dream of the few became the reality of the many.

During the past 15 years since the completion of the "new building" we of the Hicksville Jewish Center family have shared many joys and sorrows. The children of the founding families have now grown, a number of them who met either in our Hebrew School or Youth Group are now married with children of their own. We have celebrated our Bar Mitzvah year, our 18th year, our 20th anniversary and we now look forward to our 25th anniversary, the year we burn our mortgage. Rabbi Grossman is still our spiritual leader and we look forward to many more years together.

We are proud to say that with the vitality of our youth and the experience of our older members we look forward to the future. As we burn our mortgage we kindle a joyous flame which shall light our way into the future.

Mr. Speaker, I know my colleagues join me in congratulating the congregation of the Hicksville Jewish Center, and their Rabbi, Joseph Grossman, on the 25th anniversary of the center. I know too, that you will join me in wishing the congregation continued success and growth in the future.●

IN SUPPORT OF GENERAL REVENUE SHARING

HON. STEPHEN J. SOLARZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. SOLARZ. Mr. Speaker, I take this opportunity to speak in favor of the prompt action by the Congress to restore the State share of general revenue sharing for fiscal year 1982 and 1983.

The State share should be restored to help our State governments cope

with the rising costs brought about by inflation and recession. The State share was eliminated from fiscal year 1981 in an attempt, now clearly seen to have failed, to balance the budget. To continue the elimination of this assistance for 2 more years is simply being punitive.

Many States seem to have budget surpluses or, at least, no deficit. But, the balance is often a legal figment of the imagination. Indeed, current data projections indicate that 45 of the 50 States will show deficits in fiscal year 1981 that will result inevitably in the reduction of needed services.

We can cut the State share and force layoffs. Then we will see increases in unemployment insurance costs, food stamps, and welfare payments. Is not it better to spend this money productively by restoring the State share rather than for income transfer payments?

The inclusion of the State share will not affect our efforts to balance the fiscal year 1981 budget. This amendment does not authorize 1 cent for fiscal year 1981. It simply authorizes State government participation in fiscal year 1982 and fiscal year 1983. Further, the amendment eliminates the entitlement which currently exists for State government and directs all future funding for States' share through normal congressional budget and appropriations procedures.

The elimination of the State share will result in \$256 million loss in revenue to New York State in fiscal year 1982 alone. Sixty-two million dollars of this money would have been directly passed through to localities. Of that amount \$37 million would have gone to New York City. The balance would have been used in indirect State aid payments to localities through welfare, education, and court costs. This cut will have a drastic impact on the fiscal stability of localities and will result in the cutback of services to constituents. It could very well result in further pressures to increase local taxes.

I urge your support of this amendment which is, after all is said and done, a modest step which recognizes both fiscal prudence and human needs.●

TRIBUTE TO ERWIN REMBOLDT

HON. CARLOS J. MOORHEAD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. MOORHEAD of California. Mr. Speaker, I would like to take this moment to recognize a man who has made many, many beneficial contributions to the health care industry in my district, in the State, the Nation, and the world.

I am speaking of Erwin Remboldt, a man of extensive experience in the health delivery field; a man who is re-

CXXVI—1817—Part 22

tiring after more than 30 years of devotion and dedication to his chosen profession and to his fellow man.

Mr. Remboldt began his distinguished career in 1948 in the accounting department of the White Memorial Hospital Center in Los Angeles. In 1953, he completed a degree in hospital administration at the University of Chicago.

Shortly thereafter, he became administrator of the White Memorial Medical Center and in 1962 he assumed the additional responsibility of chief administrator at the Glendale Sanitarium and Hospital.

In 1973, he became the first president of the Adventist Health Systems—West Corp., a multipurpose, multihospital parent organization designed to streamline those duties and functions that can be done better and more cost effectively through one large group than 15 small ones.

Largely through the talents and efforts of Erwin Remboldt, the new entity was very successful particularly in the areas of purchasing services, goods, and insurances. For example, the parent organization would purchase I.V. solution for 200 percent less than individual hospital could acting on its own.

These economies were repeated over and over, item after item with the result being the saving of thousands and thousands of dollars. During these times of higher and higher health costs, effective action such as this should be promoted, emulated and applauded by all of us.

Mr. Speaker, it is an honor for me to pay tribute to this man who has for many years been uncommonly faithful in his pursuit of better yet less costly health care. I congratulate Erwin Remboldt at the close of an exemplary career, whose hallmarks have been excellence, steadfastness, and achievement.●

INNOVATIVE INVESTMENT PLAN AIDS SMALL BANKS

HON. BRUCE F. VENTO

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. VENTO. Mr. Speaker, as a member of the House Banking Committee, I have taken a great interest in recent efforts to increase the flow of funds into our Nation's smaller banks and savings and loan associations.

I would like to bring to the attention of my colleagues an innovative new program which was launched this past month in my home State of Minnesota through which over \$4 million in money market mutual assets were invested in the State's small and medium sized institutions. This provided them the sorely needed funds for housing, agricultural, and small business loans. Under the program, coordinated by the Independent State

Bank of Minnesota, Money Market Management, Inc., a part of the federated group, purchased 43 \$100,000 certificates of deposit from 41 Minnesota banks and two out-of-State banks.

The prompt inception of the purchase programs was made possible, in part, by SEC Chairman Paul A. Williams' letter to Senator WILLIAM PROXMIRE. The Chairman, in a very reasonable interpretation of the SEC regulations, stated that money market funds could invest in certificates of deposit of smaller depository institutions because the definition of high quality investments is a financial decision for the funds' boards of directors and because bank certificates of deposit, under most circumstances are not illiquid.

It is my hope that this program will be expanded by the federated group and that their successes will persuade the other money market funds to follow them.

The program was discussed recently in the St. Paul Pioneer Press, the Minneapolis Tribune, and the American Banker. I submit those articles for inclusion in the RECORD.

The articles follow:

[St. Paul Pioneer Press]

PILOT PROGRAM WOULD HELP SMALL BANKS GET MONEY MARKET FUNDS

(By Mike Bulger)

A pilot program to win deposits from national money market funds for small and medium sized banks was announced Tuesday by the Independent State Bank of Minnesota (ISB).

It will be the first time such a statewide program has been tried, according to Noel Busch, executive vice president of ISB.

Money market funds are mutual funds which invest in high-yield certificates and corporate securities.

Under the plan, the Minneapolis-based ISB will serve as a sort of clearing house, helping local banks connect with money market fund managers. If all goes as planned, both will benefit—the money-market funds will not have to deal individually with hundreds of banks, and the banks will be able to retain funds in their communities which they frequently have seen flow to larger banks.

The increase of federal deposit insurance coverage earlier this year from \$40,000 to \$100,000 makes the plan workable, Busch said.

"No single money-market fund will be purchasing more than one CD from any one bank. Each will be considered a single depositor and will be fully insured," he said.

Insured certificates are perceived by fund managers as having greater liquidity and less risk, he said.

In the past, smaller banks were ignored by money market funds. Staying within the \$40,000 insurance limit meant dealing with fixed interest rates, while rates on so-called "jumbo" CDs are negotiable, Busch said.

In addition, fund managers "are accustomed to looking at risk and the CDs of the small banks are not rated. Money market funds operate on a small margin. They need to deal in large volume and move quickly. To take the time to ascertain whether it is a prudent investment probably would make it right from outset not cost effective."

ISB will serve as the coordinating agent for the Federated Group of money market funds, based in Pittsburgh, Pa. ISB will col-

lect \$100,000 certificates of deposit from participating banks for delivery to the fund. The initial offering, set for Sept. 11, is for \$5 million in six-month certificates.

ISB is "getting a lot of inquiries" about the program, Busch said. "We want to take a close look at what the response is. It's an entirely new means of moving money for these purposes."

[From the Minneapolis Tribune, Sept. 4, 1980]

SMALL BANKS OFFERED INVESTMENT PROGRAM

Small and medium sized banks would be able to participate in national money market ventures under a new program announced by the Independent State Bank of Minnesota (ISB).

Noel Busch, executive vice president of ISB, said it would be the first time such a statewide program has been tried.

Money market investments are pooled mutual funds that are invested in corporate securities and high-yield certificates.

The first offering is scheduled for Sept. 11, for \$5 million in six-month certificates.

The ISB, based in Minneapolis, will help smaller banks contact money market fund managers, and the funds will not have to deal with hundreds of banks individually. Banks will be able to keep funds in their own communities; the funds have often flowed to larger banks.

Busch said no single money market fund will buy more than one certificate of deposit from any one bank. Each is to be considered a single depositor and fully insured.

Busch said the Federal Deposit Insurance Corporation's hike in insurance on deposits from \$40,000 to \$100,000 earlier this year made the program of money market investments for smaller banks feasible.

ISB is to function as coordinating agent for the Federated Group of money market funds, with headquarters in Pittsburgh, Pa.

[American Banker]

CD'S ISSUED IN FUND RECYCLING

(By David O. Tyson)

NEW YORK.—Forty-three banks, including two from outside the state, participated this week in the first package of \$100,000 certificates of deposit issued through the Independent State Bank of Minnesota to one of the money market mutual funds in the Federated group.

The \$4.3 million deal was closed on Monday with a rate of 11.15 percent set on the CD's, all of them for 182 days. With the Minneapolis-based Independent State Bank of Minnesota acting as coordinating agent, the certificates went into the portfolio of the \$300 million Money Market Management Inc., the oldest of the eight money funds managed by Federated Securities, Pittsburgh.

"They did a super job," said Glen R. Johnson, president of the Federated funds, in commenting on the Independent State Bank.

He said that Federated is also talking to banks in Indiana, North Carolina, Texas, and Oklahoma about becoming coordinating agents for such programs in their states. The aim is to recycle back into community banks around the nation the money that has been drained away by money market mutual funds.

D. D. Lee, vice president of the Minneapolis institution, said that a number of banks had committed themselves to participate in this week's package, but did not get their CDs to his bank on time. No date has been set for the next deal, but he hopes for a settlement in early October.

"We got what I feel was a tremendous response," Mr. Lee said in a telephone inter-

view. "The banks in the country, not just Minnesota, are very interested in the program. It's very viable."

"The banks were primarily in Minnesota, but we also had a bank from Kansas and one from California. And several from Wisconsin were interested but did not act on a timely basis. We got calls from 125 to 150 banks in Minnesota who are interested for the future."

Money Market Management is the Federated fund used for the first CDs taken in under the program because it is the only one authorized to do so. Mr. Johnson said that proxy letters are going out to the seven other funds to obtain approval of shareholders, most of them trust departments who use the funds for investment of cash in their accounts.

Once approval is granted by all of them, Mr. Johnson said, Federated can buy \$800,000 in CDs from each single bank—one \$100,000 CD for each of its eight funds.●

CENTENNIAL OF POLISH NATIONAL ALLIANCE

HON. JOHN G. FARY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. FARY. Mr. Speaker, distinguished colleagues, during this past weekend, the largest organization of Polish Americans and the largest fraternal organization in the United States, the Polish National Alliance, celebrated its 100th anniversary. Although the alliance is now based in Chicago, the centennial birthday celebrations took place in Philadelphia where the Polish National Alliance was founded on February 15, 1880.

At the time of its founding, the principal aims of the alliance and its member organizations were threefold: First, to help more recent immigrants from Poland to establish themselves in this country; second, to maintain the unique culture and traditions brought over from Poland; and, third, to work for the reemergence of a free, independent Polish state. It must be remembered that, at the time, Poland did not appear on maps of Europe because Prussia, Russia, and Austria, the three superpowers on her borders, had divided Poland among themselves. However, they could not deprive the Poles of their spirit, and suppression only strengthened Polish nationalism.

In this context, the founding of the Polish National Alliance was an important event affirming unity among Poles all over America, providing a helping hand to countrymen and women, many of whom fled to the United States to escape oppression, and showing the world that Poles consider themselves a distinct nation with a right to autonomy that was being denied. We all know that this is still true today and the alliance continues to perform the very important function of reminding the world that Poland is a captive nation although no one can imprison the spirit of her people.

The anniversary celebrations in Philadelphia began last Friday, the 15th of February which is the precise date, 100 years ago, of the founding of the Polish National Alliance. The festivities included the dedication of Thaddeus Kosciuszko and Kazimierz Pulaski's portraits which the PNA presented to the American Nation in 1894, Polish folk dancing by young members of the alliance, a banquet, a mass of thanksgiving celebrated by John Cardinal Krol, and a mass of all members who have passed away. This weekend marked the beginning of a year long commemoration of the PNA's first year of existence when the various stages of actual organization took place. In September, we observe the 100th anniversary of the First Polish National Alliance Convention in Chicago.

Now, at the conclusion of this year of celebrations, I want to commend the Polish National Alliance, its leaders, the organizers of various activities, and every member of every lodge because they all contribute to the valuable achievements of the PNA. With Aloysius Mazewski at its head, the Polish National Alliance is indeed reaching the goals set for it by the founders 100 years ago. This organization has helped numerous refugees from Communist oppression over the years, it has made a significant contribution to the quality of American life by keeping the ideals of liberty and justice for all men alive, it has added to the richness of our American way of life by preserving Polish culture here in the United States. I am proud to be able to say that I have been a member of the Polish National Alliance for many years and I hope that the next 100 years are as successful and productive as the last have been. Sto Lat.●

HANS HEILMANN—CITIZEN AND LEADER

HON. LEON E. PANETTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. PANETTA. Mr. Speaker, I am proud to bring to the attention of my colleagues the accomplishments of one of the finest public servants I know—Hans Heilmann, the senior member of the San Luis Obispo County Board of Supervisors.

Hans is retiring after 16 years of serving the towns of Paso Robles, San Miguel, Templeton, and Atascadero on the board, and he leaves behind numerous achievements by which he will be remembered. To his credit, they are not of the flashy sort; rather they are the kinds of projects that improve people's lives in very real ways. They include the regional park in Atascadero, the Atascadero sewer project, the incorporation of Atascadero, the county jail, the Atascadero Golf Course, the Templeton Bridge across

the Salinas River, the Templeton Hospital, and a variety of road projects.

As you can see from this long list, Hans has been responsible for, or has contributed to, the kinds of changes that signify progress in an area. Long after he has retired, the people of San Luis Obispo County will benefit from his work.

For myself, it has always been a great pleasure to work with Hans. He is a high-minded public servant who always thinks first of the needs of those he represents. His cooperation on projects requiring the joint work of county and Federal Governments has been indispensable.

Mr. Speaker, on November 22 the friends and colleagues of Hans Heilmann will join his family in honoring him for his long career in public service. I ask my colleagues to join me in wishing him the best of luck in the years to come. I know he will continue to be an active citizen whose dedication and service will be an example to all of us that we can do better. ●

RECOGNITION LONG OVERDUE FOR NURSES WHO PRACTICE INTRAVENOUS THERAPY

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. MARKEY. Mr. Speaker, a vital branch of our Nation's nursing profession is emerging as an important specialty. Recognition is long overdue for the nurses who practice intravenous therapy, which includes such diverse and valuable medical technologies as hyperalimentation and chemotherapy. Just 7 years ago in the State of Massachusetts, a charitable corporation, the National Intravenous Therapy Association, was established to promote the education of nurses in this field. In recognition of the contributions of intravenous nurses in Massachusetts and across the Nation, I would like to have the following statement included in the CONGRESSIONAL RECORD.

NATIONAL INTRAVENOUS NURSE DAY

Whereas the two founders, Ada Plummer, R.N. from Massachusetts General Hospital and Marguerite Knight, R.N. from Johns Hopkins Hospital met with a small group of intravenous nurses on January 25, 1973 in Baltimore, Maryland, for the purpose of organizing a professional association for the registered nurse practicing intravenous therapy, and

Whereas the National Intravenous Therapy Association, a non-profit specialty association dedicated to providing quality intravenous care to the patient through educating those associated with protecting the nursing specialty of I.V. Therapy, and

Whereas in recognition of the implications of intravenous therapy to the patient and the need to exchange professional information and provide for continuing education, the "National Intravenous Therapy Association" evolved and was incorporated in Maryland, and

Whereas the objectives of the National Intravenous Therapy Association are to: (1) provide the benefits and protection of a qualified I.V. Nurse to the patient, to the institution which he/she serves and to the profession of nursing, (2) encourage a high quality of professional practice through the establishment of standards in I.V. Therapy, and (4) disseminate knowledge by providing for interchange of information among its members and members of allied specialties and professions, and

Whereas the aim of the National Intravenous Therapy Association is to provide the highest quality of intravenous care to all patients requiring I.V. Therapy and to continually educate those professionals involved in intravenous therapy, and

Whereas the philosophy of the National Intravenous Therapy Association, a specialty nursing association, promotes the clinical practice of I.V. Therapy by a registered nurse who has an expertise in aptitude, skill and knowledge in the delivery, execution and accountability of intravenous therapy as an autonomous phase of nursing, NITA further promotes the basic understanding and responsibility to the nursing needs of the patient as a whole and an interdependence with the intravenous nurse and all health professionals, and

Whereas at the present time, NITA has a membership just over 1850 and has grown 45 percent in the last twelve months. At this time there are 26 local active chapters of NITA in almost every geographical area of the United States, and

Whereas the goals of NITA are to standardize intravenous nursing practice to certify those practicing, to continually educate, and to implement cost justified I.V. nursing teams in all health care facilities involved with I.V. Therapy, thus protecting and providing quality I.V. care owed to all patients in need of that care: Now, therefore, be it

Resolved, That Intravenous Nurse Day be nationally celebrated in honor of the National Intravenous Therapy Association, Inc., on January 25 of each year. ●

THE 1980 4-H PROGRAM

HON. WILLIAM H. NATCHER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. NATCHER. Mr. Speaker, the week of October 5-11 marks National 4-H Week for over 5 million 4-H participants. This year's theme is "4-H Expanding Horizons."

This theme seems highly appropriate when one considers the expanding nature and flexibility of the 4-H program. 4-H offers many and varied kinds of learning, different in scope and latitude, allowing young people to have the freedom to learn, the freedom to explore—the opportunity to reach toward expanding horizons.

In the early 1900's, the 4-H program served primarily as a means of teaching farming and homemaking skills. In those years, 4-H members came largely from rural areas. Today, Mr. Speaker, members come from everywhere, and in light of their disparate backgrounds, the 4-H organization offers a variety of projects, a variety which responds to its members ever-broadening interests and needs. The programs are designed to be a careful blend of per-

sonal development, leadership, and the special needs of youth; of social concerns, those concerns which affect them and their futures as able and productive citizens; and of national goals, those goals which chart our country's course, goals which determine our Nation's future—a future in which every 4-H'er will play a significant part.

This year more young people will be drawn to 4-H and participate in its community service programs such as the Bloodmobile Drive, the urban gardening program for minority youth, horseback riding program for the handicapped and the winter physical activity program.

These projects, however, do not constitute the entire 4-H program, for studies directed toward animal science and production, foods and nutrition, clothing, and personal development continue to be popular projects.

It goes without saying that in our 2d Congressional District of Kentucky, we are extremely proud of our 4-H clubs. We realize the importance and impact of the program and readily acknowledge that we are the better—as a community and as a people—for our 4-H clubs, those whose members are our neighbors, stand as a splendid example of teamwork which includes the 4-H's, the parents, and leaders, local sponsors, the extension agents and their staffs.

Mr. Speaker, for years now 4-H'ers have honorably served their country and helped to improve the lives of many people. I wish them every continued success and hope that they will continue to grow so that they can expand their horizons in an effort to reach the lives of those who have not yet been exposed to their high ideals and many worthwhile programs. ●

NEED TO INCREASE INDUSTRY- UNIVERSITY COOPERATION IN R. & D.

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. VANIK. Mr. Speaker, one of the most important steps America can take to increase the effectiveness of its research and development efforts—and thus develop new and competitive products—is to insure the cooperation of industry and academia in R. & D. efforts.

Recently, Prof. D. Tesar, professor of mechanical engineering and director of the Center for Intelligent Machines and Robotics at the University of Florida, Gainesville, testified before a House Science and Technology Subcommittee on this point. Dr. Tesar makes a number of good points, and I would like to include portions of his testimony in the record. As author of H.R. 6632, I believe enactment of this legislation can lead to a renaissance of

creativity and innovation in this country.

A portion of Dr. Tesar's testimony of September 17, 1980 follows:

ROLE OF THE UNIVERSITIES

Universities represent an unusually large resource for manpower generation and research potential. The magnitude of our university system dwarfs that of countries like Japan and Germany. Unfortunately, this very large resource is effectively decoupled from industrial objectives as born out by the following quote:

"Industrial funding still constitutes a small part of university R. & D. performance. During the years 1963 through 1978, the percentage of university performed basic research funded by industry hovered at about 2 to 3 percent."

Certainly, this quote implies that 97 to 98 percent of all university research comes from governmental resources (or from non-profit organizations). No more clear indication could exist to show that industry has no major impact on the universities and vice versa. Universities must serve the needs of industry. An orchestrated effort to re-establish the bonds between universities (of which there are 250 engineering schools) and our industrial base (of which we can say it is the largest in the world) will require active participation by policy makers at every opportunity. This suggestion was recently given added strength by the testimony on university-industry interactions by Congressman D. Fuqua, Chairman of the House Science and Technology Committee dealing with House Bill H.R. 6632.

Dr. N. Tallan, chief scientist of the Air Force Materials Laboratory, chaired a study group dealing with manufacturing technology which made the following comment on university-industry cooperation in other countries:

"It is nevertheless clear from many studies that have been conducted that other countries, particularly Germany and Japan, are investing much more aggressively than is the United States in the development and installation of new machine tools and processing equipment. They have established industry-government-university coalitions and central research institutes specifically devoted to the development of new machine tools and processes. Their progress is evident in their increasing productivity relative to our own and the increasing competition we face in many international trade areas."

We know that other countries have major funded activity in manufacturing. For example:

- i. The Moscow Machine Institute has 1,000 researchers involved;
- ii. The Manufacturing Institute of Aachen contains 750 people;
- iii. The French government has put \$50,000,000/year into robot development for the next ten years.

It is critical that we look for ways to couple universities with industry and this coupling must be effective. The primary objective must be manpower generation. This objective cannot be met by a university that is poorly funded, does not seek industrial projects, has no competitive research equipment, or has a faculty with virtually no industrial experience. These limitations are common to many U.S. universities, today.●

EXTENSIONS OF REMARKS

H.R. 5612

HON. TOBY ROTH

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. ROTH. Mr. Speaker, I rise in support of H.R. 5612, as amended by the Senate Select Committee on Small Business. The bill addresses several key problems facing small businesses today. The bill includes the Equal Access to Justice Act which will allow individuals and small businesses to be reimbursed for their court costs and associated expenses if they are successful in beating the Government in court, unless it is found that the Government had considerable justification in its claim.

Clearly, not all Federal actions fall into the unjustified or unreasonable category. However, the myriad of faceless Federal bureaucrats have been so successful in their war to encumber small businesses with burdensome regulations that the enforcement system operates without the usual checks and balances common to our traditional legal system. Moreover, the cost of doing battle with the Federal Government usually exceeds the amount at stake and therefore a small businessman has no rational choice but to pay the fine or submit to an unfair order.

H.R. 5612, if adopted, will also prohibit the SBA from implementing any size standards changes before March 31, 1981. This provision takes this very emotional issue out of the political season and gives Congress time to study the proposed new size standards further.

I urge my colleagues to adopt this measure and allow our small businesses to recover reasonable attorney fees and costs if they are successful in fighting civil or administrative charges brought against them by the Federal Government.●

UNITED STATES AND JAPANESE TRADE RELATIONS: EXPRESSING THE SENSE OF CONGRESS

HON. ROMANO L. MAZZOLI

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. MAZZOLI. Mr. Speaker, I rise in support of House Resolution 376.

The United States suffers a serious trade imbalance with Japan. The outlook for improvement is not bright.

Passage of House Resolution 376 is necessary both to express the dimensions of concern in America over our trade imbalance with Japan and also to trigger full-scale and serious negotiations between the two Governments to explore ways to narrow the current trade gap without resorting to quotas and other such import barriers.

I urge the adoption of House Resolution 376.●

October 1, 1980

SPENDING FOR BASIC RESEARCH

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. HAMILTON. Mr. Speaker, I insert my Washington report for Wednesday, October 1, 1980, into the CONGRESSIONAL RECORD:

SPENDING FOR BASIC RESEARCH

If a Hoosier audience is asked where the federal budget should be cut, the chances are good that among the first responses will be a proposal to eliminate "silly research." Nearly everyone has a favorite example of frivolous spending for research. Studies on the aerodynamics of frisbees, why overweight people prefer to dine at all-you-can-eat restaurants, or the impact of rural roads on Poland do seem rather ridiculous. All of us want a tighter rein on the spending of federal dollars, and it appears that elimination of studies like these would be the proper place to start. Like many things, however, such a proposal in not as simple or desirable as it looks.

The plain fact is that scientific or technological advances which have enriched our lives—computers, disease-resistant grains, polio vaccines, electric generators, satellites, and the like—were made possible by basic research. Whether in biology, chemistry, mathematics, medicine, physics, or social science, basic research is the process through which we enlarge our stock of knowledge of the world around us. Although what we learn from such research may not have an immediate use, it may form the foundation on which future breakthroughs will be based.

As our knowledge of the world has increased, basic research has become more complex and more expensive. Today, much of it is conducted by teams working with elaborate equipment and extensive data, not by a scientist or two alone in the laboratory. Complexity and expense have led in turn to a change in the way basic research is funded. Grants for special projects, first private but now mostly public, are paying many of the bills. The federal government supports 70 percent of all basic research in this country at the present time. Outlays for federal grants were more than \$3.6 billion in 1978, and they are expected to rise to \$5.1 billion by 1981.

Some grants for basic research have come in for fair criticism in recent years. Other grants have been criticized unfairly. Members of Congress and citizens concerned about waste in government want to know why taxpayers' dollars are being paid out to study such things as the mating habits of the screw worm or the reasons why children fall off tricycles. Many of us were unaware that the first study helped lead to the control of a dangerous parasite in cattle, nor may we have known that the second was part of a program to develop safety standards for all types of vehicles for children. Criticism is sometimes warranted, but we must be careful when we make it.

The fundamental problem of so-called "silly research" may be framed this way: Since the benefits of some basic research may not be known for years, how do we make researchers accountable for the public funds they receive without imposing excessive controls on them? How do we spend money for basic research wisely, with public accountability but no bar to creative effort? Public funds, whether for basic research or anything else, should be closely watched,

but too much bureaucratic intervention could inhibit important investigations and cause us to miss major discoveries in the years ahead.

Congress has not really come up with a permanent solution to this problem, but some progress is being made. Some research is being, and should be, dropped. Since a proposal must be diligently reviewed before an award is made, with a close follow-up after the money is handed out, congressional committees are beginning to look harder at the budgets of executive agencies that administer grants for basic research. Oversight by the agencies themselves and the universities must be more vigorous, too, and the system of peer review (through which scientists judge the projects of their colleagues) must be strengthened. The government should work to develop a long-range plan for investment in basic research. It should also work toward more reliable mechanisms of funding. We should strive for better understanding between researchers and the federal officials who award grants. Each group should have a stronger appreciation of the constraints and pressures under which the other operates.

For many reasons, I am persuaded that the government must maintain its commitment to basic research. It is a prime candidate for public funding because it may have no direct "payoff" to attract private funding, because its benefits eventually reach all Americans, and because it has an enormously important economic impact. As much as one-half of our economic growth between the late 1920's and the late 1960's can be attributed to scientific and technological advances, so basic research is a driving force behind rising productivity and a powerful weapon in the fight against inflation. Moreover, our national security depends in part on the new armaments which basic research enables us to build. Stability and economic growth in the developing world depend in part on the large output of our technological agriculture and the new machines and industrial processes we export. Our prestige as a leader among nations depends in part on the discoveries and innovations that others know to be American.

The need to explore new frontiers and apply new knowledge to mankind's problems has been a characteristic of Americans for more than two centuries. Basic research, well-managed and productive, is part of what this nation is all about.●

H.R. 6722

HON. THOMAS J. TAUKE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. TAUKE. Mr. Speaker, I commend the House leadership in recognizing the importance of H.R. 6722, a measure designed to divorce the major oil companies from operating service stations, on its list of top priority legislation.

The bill is the culmination of more than 1 year's investigation into the marketing practices of the major oil companies. In March 1979, I urged the House Small Business Subcommittee on Antitrust and Restraint of Trade Activities Affecting Small Business to look into the problems facing retail service station dealers.

Hearings held in Washington and throughout the Nation produced evi-

dence of anticompetitive practices designed to squeeze the independent operator out of business.

Evidence also suggests that with the onset of oil decontrol next year the situation will only worsen. This measure is needed to work hand in hand with oil decontrol in an attempt to protect consumers and independent operators.

Our subcommittee unanimously endorses the measure and the House Small Business Committee reported the legislation to the House on a 25 to 1 vote.

Recently, an identical bill was introduced in the Senate where a Senate judiciary subcommittee reported the legislation to the full committee.

Almost from the time we began our probe into the marketing practices of the major oil companies, the Cedar Rapids Gazette began running a series of editorials highlighting our findings and calling for congressional action.

The latest in this fine series of editorials appeared Tuesday, September 23, and once again called upon Congress to immediately consider the measure before adjournment.

I would like to echo the editorial's call for action and sincerely hope that the leadership will see fit to bring this bill before the House prior to the session's end.

I commend my colleagues on the latest Gazette editorial. The editorial clearly describes the problems facing many independent service station dealers throughout the Nation and brings into focus the immediate attention Congress should give this measure.

DIVORCEMENT IN ORDER

Those poor major oil companies are having a tough time these days moving their refined products, especially gasoline. But they apparently aren't using soft-sell techniques to get branded independent dealers to take on more volume. They are resorting to economic harassment and scare tactics—which may be the best reason yet for requiring that the majors get out of the retail gasoline business.

According to the Wall Street Journal, the problem is nationwide. Oil company sales representatives are telling independents that, if they don't take on their full monthly allocations and improve sales, the dealers face reduced deliveries in the future and possibly even cancellation of their station leases.

In Iowa, the pressures are subtler, but still there. Larry Blixt, executive vice president of the Iowa Gas Dealers Association, claims that the majors are telling dealers to stay open longer (which oil companies can do, because hours of operation are a non-negotiable contract item). This may be good for the supplier, because more gas will be sold, but not for the dealer, who may sell only 50 to 100 gallons between midnight and 6 a.m. He makes under a nickel a gallon, which would not even take care of the added overhead.

Other tactics are worse yet. Blixt says the majors are squeezing dealers by jacking up their rents. A staffer on the House Small Business Committee's antitrust subcommittee notes that the majors are raising insurance costs by breaking them out of the contract package for the first time.

In Iowa, as in other states, oil companies are also spreading an unfounded rumor that

the U.S. Department of Energy is planning to refigure the base year for gasoline allocation purposes so that dealers will automatically get less product in 1981. This makes the salesman's argument for taking on greater volumes now more compelling—while dealers are less and less able to compete with nonfranchised company stations and even some convenience stores that get preferential price treatment in purchasing their supplies.

For the sake of return on investment, the major oil companies are slowly driving independent dealers out of business—legally, in most cases. The only way to stop this is to make it illegal for them to operate their own gas stations. That is what divorcement is all about, and on Capitol Hill the idea at last is getting somewhere.

Committees of both Senate and House have so far reacted favorably to a bill that would disallow large integrated oil firms from operating retail outlets and selling gas at the terminal at discriminatory prices. The bill would also guarantee small-business loans to branded dealers who want to purchase their stations outright.

It is legislation whose time has come. Congress should make haste to pass it this session.●

LEGAL SERVICES CORPORATION

HON. HAROLD S. SAWYER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. SAWYER. Mr. Speaker, as a member of the Committee on the Judiciary, I have been privileged to help oversee the development of the Legal Services Corporation. In addition, I am personally acquainted with the Legal Services program in my own congressional district. I know the board of that program to be comprised of dedicated members of the Michigan bar who volunteer their time and energies to set broad policies for that program. Members of my former law firm have been on the board of that program for many years.

My service on the Committee on the Judiciary has led me to the belief that the Legal Services Corporation has successfully achieved the provision of quality legal representation for its clients consistent with Congress mandate.

In light of my experience, I am surprised by the accusations currently being leveled by the Liberty Lobby. I am also concerned lest those accusations be accepted as true. The white paper contains a number of allegations which, to my knowledge, are false. Among those are the following:

Although it is true that there has been a significant increase in the overall appropriation to the Legal Services Corporation, the vast majority of the increased funds have been directed toward expanding access to legal services in areas of the country not previously served. In 1975, for example, only 32 counties in my home State were served by Legal Services offices.

Today, all 83 counties have legal services available to them. The white paper alleges a 1977 authorization of \$600 million. In fact, the 1977 authorization (fiscal year 1978) was \$205 million. The fiscal year 1981 reauthorization level is \$321.3 million. In both S. 2337 and H.R. 6386.

The white paper cites as a violation of the antilobbying regulation, a lawsuit filed by the Philadelphia program against the Pennsylvania Welfare Department. A lawsuit, of course, is not lobbying and can hardly be considered a violation of the regulation. The paper also cites as proof of the inadequacy of Legal Services, a criminal case out of New York. The authors of the white paper should be aware that the representation in the case was not provided by Legal Services Corporation funded attorneys but rather by a separate branch of the New York Legal Aid Society funded from other revenue sources.

Elsewhere in the white paper are allegations that the local boards of directors are composed of representatives of groups such as the A.C.L.U., National Women's Rights Organization, U.A.W. and Gay Lib. In fact, the regulations mandate that 60 percent of the local boards must be attorneys. In my congressional district, the attorneys are appointed by the local bar associations, and are, I assure you, not selected for their philosophical leanings, but rather for the expertise and experience they can provide.

Finally, the white paper is simply wrong in stating that LSC has been accused of mismanagement by the GAO. To the contrary, GAO has found no major shortcomings in the LSC performance. The staff of the Senate Subcommittee on Employment, Poverty, and Migratory Labor of the Committee on Labor and Human Resources evaluated the GAO report and the LSC response to it and noted that "[i]n the context of the limited resources with which the Corporation must operate, the overall performance it demonstrates with respect to the GAO recommendations is excellent." In my opinion, LSC constitutes one of the most efficient and professional of Federal programs. The Committee on the Judiciary maintains close oversight over the program. The spate of misinformation from groups such as the Liberty Lobby therefore does a grave disservice to Congress in its efforts to oversee one of the more successful programs addressing the needs of the Nation's poor.

I sincerely hope that we as we move toward consideration of H.R. 6386, my colleagues will join me in voting based on the facts rather than the misinformation provided us by groups such as the Liberty Lobby.●

MR. RICHARD BENOIT

HON. DONALD J. MITCHELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. MITCHELL of New York. Mr. Speaker, each Member of this body is well aware of the contributions that so many dedicated public servants make to the effective administration of our Government. Well, I would like to bring their attention to an individual who has recently celebrated his 40th anniversary in Government. On September 15, 1980, Mr. Richard Benoit of Utica, N.Y., marked his fourth decade of conscientious, dedicated, and outstanding Government service. Presently, he is a civilian employee at the Rome Air Development Center at Griffiss Air Force Base, but he began his career of service to our Nation as a member of the U.S. Army Signal Corp Laboratories at Fort Monmouth, N.J. From 1942 to 1945, he served in the U.S. Armed Forces and returned to civilian status in 1945 to work at the Watson Laboratories in Red Bank, N.J. In 1950, he became a member of the original staff establishing the Rome Air Development Center.

Throughout the years that I have been privileged to know and work with Dick Benoit, I have been thoroughly impressed by the important contributions he has made to the advancement of military technology, his enthusiastic dedication to his work, and his unswerving patriotism. His has always been the finest sort of patriotism—the willingness to work everyday to insure that our Nation remains free, strong and proud.●

THE REUNITING OF ROBERT HARGREAVES WITH HIS FAMILY

HON. CHARLES F. DOUGHERTY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. DOUGHERTY. Mr. Speaker, Robert Hargreaves of my district has been reunited with his family after a separation of 43 years. The dedication of his family members to the search for their lost son and brother is an inspiring example of family devotion and love. Their story appeared in the Philadelphia Bulletin on September 2, 1980, and I would like to share it with my colleagues.

RHAWNURST MAN "SPEECHLESS," FOUND BY FIVE BROTHERS, SISTERS
(By Michael E. Ruane)

Robert Hargreaves doesn't remember the day back in 1937 when his mother suffered the fatal black-widow spider bite in the kitchen of their Memphis, Tenn., home.

He doesn't remember the dying woman whispering, "Take care of my babies," as she was carried away, leaving behind a husband and six young children.

Hargreaves, 44, of Philadelphia's Rhawnhurst section, was 3 months old then, and

until a month ago he knew nothing of the lost family that for 43 years never forgot him.

Last July 30, he got a telephone call from an Episcopalian priest, who suggested he had better sit down and then told him he had five brothers and sisters.

His family's search for him, conducted by his father, Henry Padell Jr., until his death in 1967, and then by his brothers and sisters, ended this holiday weekend in a joyous family reunion in Hargreaves' home.

Hargreaves met for the first time over the weekend his brothers, Thomas Padell, 55, and Aubrey Padell, 53, his sister, Patsy Almany, 48, and Aubrey's wife, Marie.

In emotional telephone interviews yesterday and Sunday, they told the story of their family "miracle."

"I can't express it right," Hargreaves said. "This is the greatest thing that ever happened to me. How they've taken to me and my wife. It's hard to express how I feel, but they know how I feel."

"I never thought anything like this would happen to me in a million years. I'm speechless."

Hargreaves, a warehouseman for the Van Sciver Co. in Camden, has a wife, Rosemary, and two children, Robert, 6, and Michael, 4. They live on Glendale St.

His original name was Lewis Padell, and he was the youngest son of Henry and Emma Padell. When she died she left five other children, Frances, 12, Thomas, 10, Aubrey, 8, Kenneth, 6, and Dorothy, 4.

Following his mother's death, Hargreaves' father, an auto mechanic, lost his job and juvenile authorities in Memphis intervened, saying he could not properly care for his children.

Frances, Thomas and Aubrey were placed in foster homes and eventually returned to their father. But the three youngest children were put up for adoption.

Kenneth and Dorothy were adopted in 1938 by a family in Pine Bluff, Ark., where Dorothy's name was changed to Patsy. The youngest child, Lewis, was adopted by the late Mr. and Mrs. Earle Hargreaves, of Philadelphia, who changed his name to Robert.

For years, the Padell family tried to locate its three lost children. But authorities in Memphis told them the adoption documents were sealed and confidential.

Marie Padell, Aubrey's wife, recalled how the elder Padell, called "Grandaddy," often cried when he thought of his missing children.

"After I die, find them and let them know that I did not give them up," Mrs. Padell said her father-in-law once told her. "He knows now that they're all together again," she said.

She said the break came in July when an agency that specializes in tracking down adopted persons told her that many adoption documents in Tennessee were no longer confidential.

Mrs. Padell said she gained access to the courthouse records and located information on her relatives "in 15 minutes." Patsy and Kenneth were quickly contacted.

But Hargreaves has an unlisted number in Philadelphia, and was reached July 30 only after an Episcopalian priest, a friend of the family, persuaded a telephone operator to pass a message to Hargreaves.

Hargreaves agreed to talk to the priest. "He knew all about me," he said. "Then he said, 'Are you sitting down? Do you know you have three brothers and two sisters?'"

Hargreaves said the reunion has left him "on cloud nine."

Mrs. Padell said tearfully, "He is the last one. Now our family is complete."

Mr. Speaker, to Robert Hargreaves and his family we extend our congratulations on the reuniting of their family and our gratitude for the inspiration they have provided us by their example of family love and devotion.●

IN HONOR OF MATTHEW SAVICH

HON. RICHARD T. SCHULZE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. SCHULZE. Mr. Speaker, it gives me great pleasure to bring to the attention of my colleagues the extraordinary talents of Mr. Matthew Savich, of Mendenhall, Pa., who won two medals in the recent National Senior Olympics held in Los Angeles, Calif. Competing in the 70-74 age group, Mr. Savich won a gold medal in skill boxing and a bronze in singles tennis.

Mr. Savich's athletic versatility was recognized many years ago, when he was offered professional opportunities in both baseball and boxing. Due to family responsibilities, he was unable to accept them, but his recent successes well demonstrate that he has maintained a competitive edge over his peers.

In recognition of his gold medal, the Washington, D.C. Boxing Hall of Fame has made Mr. Savich an honorary member.

Mr. Speaker, Matthew Savich is clearly the quintessential "natural athlete," and I am proud to honor him here, today.●

THE IMPORTANCE OF NUCLEAR POWER IN REDUCING OUR SELF-INFLICTED DEPENDENCE ON OPEC

HON. TOM CORCORAN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. CORCORAN. Mr. Speaker, nuclear energy has the potential of greatly reducing our self-inflicted dependence on the insecure OPEC oil fields. I was pleased to note the conclusions of an August staff study by the Joint Economic Committee, "Energy and Materials: A Shortage of Resources or Commitment?" In the section entitled "Nuclear Policy," the staff study concludes, "... in an era of increasing U.S. dependence on increasingly volatile foreign oil sources, the nuclear option provides national energy relief if the problems of nuclear power are solved and its large-scale use accepted."

Mr. Speaker, for the benefit of our colleagues, I would like to insert into the RECORD at this point excerpts from the "Nuclear Policy" section of the August staff study by the Joint Economic Committee.

NUCLEAR POLICY

Between 1973 and 1979, electricity consumption increased at a compound annual rate of 3.1 percent, roughly four times as fast as total energy consumption. Because it is so flexible in use, and because it can be produced using so wide a variety of fuels, electricity could be viewed as an increasingly important option for domestically produced energy. But if electricity is to continue to play its increasingly important role, more generating capacity must be brought on line. It is for this reason that solutions to the problems of nuclear power should be pursued.

In 1979 nuclear electric power provided 11 percent of the electricity consumed in the United States, or 4 percent of total domestic energy production. Nuclear stations had a capacity of approximately 51 gigawatts in 1979. This is enough electrical generating capacity to supply 51 cities with populations of 600,000 each.

Although nuclear electric power has been the fastest growing domestic energy source, regulatory lags (especially during the certification process) and other factors have affected both nuclear stations under construction and those that have entered the licensing process. Factors include deteriorating financial conditions of many utilities and increasingly uncertain electricity demand forecasts. In addition, events such as Three Mile Island—and increasing concern with nuclear waste storage—have reduced the level of acceptance of the nuclear option. This has had, and is expected to continue to have, the effect of reducing the inclination of electric utilities to seek certification of new nuclear stations.

Nevertheless, in an era of increasing U.S. dependence on increasingly volatile foreign oil sources, the nuclear option provides national energy relief if the problems of nuclear power are solved and its large-scale use accepted. There are 33 gigawatts—fully 65 percent of existing nuclear generating capacity—"waiting in the wings." This is capacity that has been approved but whose construction has been delayed or halted. And, there are 29 gigawatts—or 57 percent of existing nuclear generating capacity—under construction permit review by Federal and State agencies.

If the acceptability problems of nuclear energy persist, they reduce the probability of this capacity being on-line before 1990. However, if construction of the 33 gigawatts "waiting in the wings" were to be completed, nuclear energy production would rise by 65 percent—from three quads in 1979 to five quads in 1990. If, in addition, the 29 gigawatts under construction permit review were to be approved and built, capacity would increase to almost seven quads. Adding 33 gigawatts of nuclear capacity has the potential to save two quads of petroleum energy, and adding the additional 29 gigawatts could save another 1.8 quads of petroleum energy. Based on the 1979 energy import level of 16 quads, the decision to bring all 62 gigawatts on-line could result in more than a 23 percent reduction in imported oil reliance. This is the equivalent of 684 million barrels of oil per year which could be used by the liquid fuel dependent transportation sector. Even with today's relatively energy inefficient vehicle fleet, this would be about an 80 day supply for America's transportation sector.

This is not to say that an equivalent number of barrels will be backed out from the use of nuclear power and necessarily used in other energy sectors. It is to say, however, that growth in any sector—whether it be population, industrial, residential or business—will require some amounts of ad-

ditional energy. It seems only prudent that growth be first dependent upon the most secure forms of domestic energy, and secondly upon the most secure forms of imported energy. This long range staff study has adopted the belief that for the better part of the next 20 years increased energy consumption—regardless the amount—is most likely to be satisfied by pursuit of goals which bring increased domestic supplies.

The potential role of nuclear energy is great if problems can be overcome, especially when the technical and economic constraints on synthetic fuels production are considered.●

A TRIBUTE TO BOB DUNCAN

HON. BILL CHAPPELL, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 25, 1980

● Mr. CHAPPELL. Mr. Speaker, one of the Nation's most able and experienced public servants is retiring from this distinguished body. ROBERT BLACKFORD DUNCAN, Oregon's Third District Congressman, has earned the great respect and admiration of his colleagues for his competence and ability. His generally easy-going and friendly ways have won him many friends on both sides of the aisle.

I have had the pleasure of serving with Bob on the Appropriation Committee where he has served as chairman of the Subcommittee on Transportation, a position of great national importance. His efforts to develop an integrated transportation system in the United States deserve praise as well as his integrity, his wit, and his boundless energy.

Besides having a wonderful personality and greatly assisting the Democratic ball team during our annual congressional games, Bob has effectively represented his constituents. He has attended closely to the needs of his district, sponsoring bills on the Mount Hood National Forest and seeking a veterans' hospital in Portland as well as fighting for a healthy environment for his State of Oregon.

Words are inadequate to state the value of his service to our Nation, but let it be said here and now that Bob DUNCAN performed a service worthy to be remembered. He is a dear friend and I wish him all success and happiness as he embarks on new endeavors.●

THE 125TH ANNIVERSARY OF THE SENECA FALLS-WATERLOO REVUEILLE

HON. GARY A. LEE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. LEE. Mr. Speaker, I would like to call to the attention of my colleagues, the 125th anniversary of the

Seneca Falls-Waterloo Reville, a valued and respected institution in Seneca Falls, N.Y., a community I have the privilege to represent in this body. Now operated by Howard R. VanKirk, Jr., the Reville is a community newspaper, and a valuable resource for all of Seneca County.

When the Seneca Falls-Waterloo Reville takes note of its 125th birthday with a special anniversary issue October 22, the handy, tabloid sized New York State weekly will be a far cry from its 1855 ancestor.

The American Reville, first published by Wilcoxen, Sherman, and Baker in February 1855, was a huge four-page, singlefold sheet some 40 inches wide by 27 inches deep when it was opened, and reading it was hardly a one-handed operation.

Unlike today's successor, it contained no news on page 1, but devoted the whole front page to advertising and literary flights of fancy, including poetry and short stories, unrelieved by an illustration.

More advertising and national news shared page 2, and it was not until page 3, left hand column under the masthead, that anyone found anything about local doings. The back page included legal notices, poetry, perhaps an essay, and the editorial.

"The Editor," that is Henry Stowell, whose name is still associated with the Reville, acquired the newspaper in 1859 and 1 year later changed the paper from an American Party—know nothing—organ to a Douglas Democratic sheet.

Stowell was the man behind the editorials for 59 years, from 1855 to 1918, when he died one Wednesday night after having put the paper to bed. There are still a few in Seneca Falls who remember the goateed, frail, but determined old man who walked to the newspaper daily from his State Street home, in his final years, on the arm of his daughter, Maude. He died at age 84, ending an era of personal journalism, florid but forthright editorializing and coverage of the north end of Seneca County.

The Reville has gone through many changes during the 125 years of its history. Stowell at one point in his tenure renamed it the Seneca Falls-Waterloo Reville, accommodating the neighboring village to the west.

In later years, under Stowell's successor Earl D. Clark, it again became simply the Reville, and later acquired both the Seneca County Standard and the Seneca County Commercial.

Other weeklies, and other Reville editors and publishers, came and went, until at the end of 1968, the Reville remained the last of its breed serving the northern end of Seneca County.

Howard R. VanKirk, Jr. had become the editor in May of that year, and later became part owner with Roger Chapin who was succeeded in 1975 by L. S. Vincent. It was during VanKirk's earlier years with the newspaper that

it was redesigned from broadsheet to tabloid.

Through the years, it has occupied many sites, including the first business building downtown on the south side of West Falls Street, now the office of Attorney Emil J. Bove; the spot now occupied by the Partridge Block across from the Fall-State Streets intersection, from which it was burned out in the great Seneca Falls fire of 1980; the old Seneca Theater building, now the D'Amica building on Lower Fall Street; and now can be found in the Branciforte building at 27 State Street, one of the oldest buildings in Seneca Falls, a former Presbyterian Church moved in the late 1800's from Cayuga Street to State.

Mechanically, the newspaper was printed in its own shop for most of its history, on a variety of presses from the old Houghs, Globes and Liberties to a Babcock cylinder, to a Goss semi-rotary.

The newspaper went offset in the late 1960's and following the modern trend, was printed on a Goss Community rotary offset press at Manlius Publishing Co. in Fayetteville, N.Y., the press on which it is still turned out every Wednesday morning at 6 a.m.

Even though the presswork had followed the offset route, the newspaper continued to use hot metal type, text from Mergenthaler linotypes and display from a Ludlow typograph line-casting machine, all of which, or predecessors of which, has been acquired by Clark back in the late 1920's and hailed as the most modern of printing equipment.

In 1969, when VanKirk and Chapin were in the process of acquiring the newspaper from Joseph Burt and Thomas Williams, the cumbersome metal type system was abandoned and strike-on composition took over. This has since been replaced by computerized photo-typesetting, which offers a great deal more flexibility in type sizes, styles, and conformity than any of the former methods.

VanKirk and Vincent continue to operate the business, which includes a small commercial print shop known as Willson Press. The editor's wife, Barbara Filiatreau VanKirk, like everyone else on the work crew, carries out a variety of responsibilities, from news editing to typesetting to mailing the paper each week.

Tish Gilbert is the office manager-bookkeeper-factotum who handles the walk-in trade and takes care of bill paying, payroll, and numerous other tasks, including making sure the rest of the staff keeps its appointments.

Photographer, darkroom technician, and layout artist is Pam Quiggle, an Ohioan who seems to have found a home in Seneca Falls, and whose efforts are integral to the newspaper's production, as she takes it to Fayetteville every week, shepherds it through the printing process, brings it home and then handles the newsstand deliveries.

Carmello Dalessio is long-time ad saleswoman handling special pages and promotions and Chuck Perrine is the retail adman.

For the special 125th anniversary edition, a recent graduate of Colgate University, Kathie Gow, has been the prime mover, managing the advertising sales and news-gathering function, planning, layout, and design. She is being assisted in the editorial department by Gerry Collins and Doug Campbell.

Running the print shop are the VanKirk's son, Stephen, and Geoff Murray.

Writes Ms. Collins in her history of the Reville, penned for the anniversary edition:

With modern technology, some fancy footwork and occasionally a little prayer, the paper * * * makes its appearance each week. It has had many mottos and slogans through the years, but today, as an independent with an open-minded editorial policy, it is content and proud simply to state below the name on the Flag, "Seneca County's Official Newspaper."

Again to quote Collins:

With the traditions of grace and age, The Reville still experiences the vigorous enthusiasm of youth, and as Jolson used to say, "Stick around, folks. You ain't seen nothin' yet!"

EDUCATION SECRETARY HUFSTEDLER WANTS SCHOOLS BUILT NEAR WORKPLACES

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. ASHBROOK. Mr. Speaker, few Members of this House are still under the impression that the Department of Education has any intention of following congressional intent in its aims or its issuance of regulations. This realization lends new urgency to the need for passage of my proposal for a congressional veto of education regulations allegedly authorized by the Civil Rights Act of 1964.

The expansion of power by the Department of Education has barely begun. Mrs. Hufstedler was quoted in the May 11 New York Times as saying:

I'd like to see us build schools where people work. You could have one person commute with the youngster, and you'd have expanded after-school programs. This would reflect the way society works today, and it would bring about desegregation because work places are far more integrated than housing patterns.

The implications of this comment are both staggering and real. Already, our children are being bused to fit bureaucratic quotas, and our workers are being hired according to other racial quotas. The next logical step would indeed be for the Federal bureaucracy to dictate where schools are to be built, and how school activities are to be coordinated with afterschool activities.

The statement quoted above underscores the need for congressional veto of regulations. If we are to prevent further erosion of congressional and local authority, it is past time that we cease to let bureaucratic seizures of power take us by surprise. ●

TRIBUTE TO BOB DUNCAN

HON. TOM BEVILL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 25, 1980

● Mr. BEVILL. Mr. Speaker, I would like to take this opportunity to join with my colleagues in extending my sincere best wishes and thanks to my good friend and colleague, BOB DUNCAN upon his retirement from Congress.

Bob is a fine man and a fine legislator, who, through the years we have served together, I have come to respect for his abilities, friendliness, and compassion.

Bob will certainly be missed on the Appropriations Committee where he so ably chaired the Transportation Subcommittee. He has proven on numerous occasions to be one of the most knowledgeable Representatives in this field, and will truly be missed by all of us for his wise counsel and advice on various legislative issues.

The people of the 3d District of Oregon have every right to be very proud of the tremendous job BOB DUNCAN has done for them and for his many great and lasting contributions to the Nation. I truly believe he is one of the most dedicated men to have ever served in the U.S. House of Representatives.

I wish Bob all the best in the years ahead, in whatever endeavors he might undertake, and add my sincere best wishes again to him and his wife Marijane for a long and happy retirement. ●

RAYMOND T. PERCICH—A HUMBLE AND HONORABLE MAN

HON. RICHARD A. GEPHARDT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. GEPHARDT. Mr. Speaker, the people of St. Louis recently lost one of their most effective and beloved public servants when Comptroller Raymond T. Percich died of a heart attack.

In an age of disenchantment with politicians, the people of St. Louis saw in Ray Percich a man of unwavering integrity who said what he believed, whether it was popular or not in the back rooms of city hall.

Prior to my election to Congress, I had the privilege of working with Ray Percich on the St. Louis Board of Aldermen. From that vantage point, I knew the public man. The following editorials from the St. Louis Post-Dis-

patch and the St. Louis Globe-Democrat also tell of the private man who never forgot his humble beginnings. He remained a humble, loving, and generous man until the day he died.

For the benefit of my colleagues, I insert the following comments on Raymond T. Percich in the RECORD:

THE CITY'S WATCHDOG

City Comptroller Raymond T. Percich was a man of integrity. As his political allies and adversaries and the citizens of St. Louis react to the shock of his sudden death, all will remember that he never backed away from a fight and that he fought fairly and in the open.

Mr. Percich had a clear vision of how city government ought to be conducted—according to the letter of the law with fiscal accountability. He gloried in being a watchdog. In that role, he refused to permit shortcuts and never turned a blind eye toward laws that might slow progress whether the issue at hand was a leaky City Hall roof, ways of getting around the Charter-required salary ceiling, federal grants or the smaller day-to-day expenditures of city government.

His strict adherence to the salary ceiling, even though it meant that medical personnel for city hospital, for example, were difficult to hire and retain, probably led to the successful campaign to remove that limitation from the Charter. He supported change when he believed it was needed; he also required that the laws be revised before the practices were.

In working for change, Mr. Percich could be one of the more colorful figures in city government. Rather than just giving speeches to dramatize the lack of space at the city jail when he was sheriff, Mr. Percich ferried prisoners around the State and even lodged some in the Chase Park Plaza Hotel. He got attention and results. The city will be blander for Mr. Percich's passing, but it benefited from his hard work. As alderman, sheriff and comptroller, he set a standard for personal honesty and left a demand that city government function in the open. That is a sound legacy.

COMPTROLLER RAYMOND T. PERCICH

Comptroller Raymond T. Percich was a favorite of St. Louis voters because they perceived him to be an incorruptible elected official who protected their interests and pocketbooks at City Hall. Any conscientious politician would cherish having the degree of public respect that Mr. Percich enjoyed.

Those Mr. Percich feuded with at City Hall considered him an obstructionist because he did not go along with them. There were times when he may have appeared obstinate for obstinacy's sake, but no one questioned his integrity.

A man who once lost out on a profitable deal with the city because Mr. Percich considered his proposal illegal described the comptroller as "brilliant" in his knowledge of law and public contracts.

Mr. Percich's character was formed by the training he received at German St. Vincent Orphan Home, where he was placed as a youngster because his mother was unable to care for him. He grew up to become chairman of the board of the orphanage and it remained his special enthusiasm among many charitable and church-related interests.

A successful probate lawyer, Mr. Percich developed an appetite for politics early in life. Before being elected alderman from the 27th Ward, he was involved in many losing struggles for recognition. It was said, and not altogether in jest, that the Board of

Aldermen elected him sheriff to fill a vacancy "to get rid of him." Mr. Percich knew and laughed about this appraisal.

As sheriff he attracted a citywide following, enabling him to win the Democratic nomination for comptroller from the party's incumbent who had defeated Mr. Percich four years earlier.

Mr. Percich found his niche as the city's fiscal watchdog. People tended to hold him in the same esteem they once reserved for former Mayor John H. Poelker when he was comptroller and the late Louis Nolte. Though there was some talk that Mr. Percich might challenge Mayor James F. Conway next spring, the comptroller confided to friends recently that he would seek reelection.

Mayor Conway has the privilege of appointing someone to Mr. Percich's office until a successor is elected. Considering the differences he has had with Mr. Percich on the Board of Estimate and Apportionment, the mayor most likely will seek someone amenable who will not harm him politically.

The father of seven children, Mr. Percich was devoted to his wife and family and was a fervently religious man, proud of his Catholic and Croatian heritage. Though his public image was that of a bulldog, he was an exceptionally kind and considerate man with a delightful sense of humor.

St. Louisans mourn Mr. Percich's sudden death and join in extending condolences to his wife, Madelyn, and their children. Ray Percich, through the force of his honesty and personality, has left an indelible impression of what a public servant should be like. ●

FUND OF \$259 MILLION FOR THE UNIVERSITY OF PENNSYLVANIA

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. ROSENTHAL. Mr. Speaker, the University of Pennsylvania has scored a significant achievement in the history of higher education in the United States. In less than 5 years it had concluded a fundraising campaign which raised \$259,389,789 for its program and endowment in a spectacular effort known as the Program for the Eighties.

The University of Pennsylvania, founded by Benjamin Franklin in 1740, is one of our great national resources. In every phase of American life the faculty, students, and alumni of this university have made significant contributions.

My daughter is a graduate of the university, my son is an undergraduate there, and my son-in-law is an intern at the hospital of the university, so I take particular satisfaction in sharing with my colleagues the achievements of this notable fundraising effort.

One of this nation's oldest and most distinguished private universities, the University of Pennsylvania, marked a milestone in its evolution in 1980: Alumni and friends celebrated the successful conclusion of the largest fund raising campaign of the institution's history. Pennsylvania, founded by Benjamin Franklin as The Academy in Colonial Philadelphia, raised \$259,389,789 in an intensive five-year "Program for the

Eighties." Only three other American universities have achieved or exceeded such a goal in a single campaign.

Pennsylvania has always been distinguished for both pure scholarship and its leadership in putting knowledge to use.

It gave the nation its first medical school (1765), first law courses (1790), first university-owned teaching hospital (1874), and first collegiate school of business—the Wharton School (1881).

It established the world's first psychological clinic (1896) and built ENIAC, the world's first general-purpose, all-electronic digital computer (1946).

Underlying the University's fame in professional fields are its strengths in the liberal arts and sciences:

It is ranked among the national leaders in ten areas of the humanities and the natural and social sciences.

Its faculty includes a Nobel laureate in medicine, a Pulitzer Prizewinner in music, a holder of the President's National Medal of Science, more than 35 of the 500 U.S. members of the American Philosophical Society, the president of the American Council of Learned Societies—and the heads of many other scholarly organizations.

Its graduates, meanwhile, have personified Pennsylvania's front-rank role in applying basic knowledge to professional needs:

Pennsylvania has educated 24 presidents of the American Medical Association, five presidents of the American Bar Association and the deans of a dozen dental schools. It is among the nation's top producers of business leaders. And, one of every twelve living Fellows of the American Institute of Architects is among its alumni and faculty.

In the 1960's the University had concentrated on bringing up-to-date its physical facilities. To complement that achievement, the Program for the Eighties focused on "people and programs," giving highest priority to faculty support, student aid and the strengthening of academic ventures.

The campaign kicked off in October 1975, but the planning for it started three years earlier. In 1972, President Martin Meyerson appointed a Development Commission to study Pennsylvania's academic and financial positions. The Commission recommended a qualitative buildup of Pennsylvania's many academic strengths. As a central theme, it envisioned joining together the University's many talents and programs at all levels in new combinations that would correlate one specialty with another, theory with practice and the perceptions of the liberal arts with the sense of social purpose and application of the professions. Facilitating interaction between disciplines at Pennsylvania is the fact that this University—unlike most others of its stature—has all of its schools on a single, 250-acre campus. To carry out that theme, the campaign operated under the symbol and slogan, "One University."

Pennsylvania identified as its broad objectives:

To build upon the University's strong points in the arts and sciences, the bases of all learning.

To enrich undergraduate education in style and content.

To speed the application of new health knowledge to patient care, through "basic-clinical" centers, better delivery systems, and a new focus on the public need for primary care.

To nurture new Wharton School programs in world business, management for not-for-profit institutions, entrepreneurship, organizational innovation and lifetime education.

To endow the new School of Public and Urban Policy, which trains professionals and scholars in governmental and urban problem-solving.

To broaden the role of engineering to give students in any field an understanding of technology as a force in modern society.

To buttress the excellence of the Law School.

To safeguard the quality of one of the nation's great research and teaching libraries.

To provide cultural, artistic and recreational opportunities, modes of student residence and a physical environment conducive to total enjoyment of the life of the mind.

To strengthen Pennsylvania's operating position and inject more flexibility into its budget by greatly increasing its unrestricted income, especially through Annual Giving.

The University put together a broad-based, well-organized network of volunteers, including trustees, faculty, staff, alumni, and friends. The campaign organization consisted of a Development Council, Campaign Operating Committee, a Business and Industry Committee, a Foundations Committee, a Health Affairs Committee, a Campus Committee and a Major Gifts Committee.

Throughout the campaign, the chairman of the University Trustees headed the endeavor and served as chairman of the Development Policy Committee which set overall campaign directions. Trustees' chairman Donald T. Regan, chairman and chief executive officer of Merrill Lynch & Co., Inc., presided until July of 1978, when he was succeeded by Paul F. Miller, Jr., president of Miller, Anderson and Sherrerd. For the first three years of the campaign, its day-to-day business was directed by a Campaign Operating Committee, whose chairman was John Eckman, chairman and president of the Rorer Group, Inc. Director of the highly successful campaign among corporations was Reginald H. Jones, chairman and chief executive officer of the General Electric Company, who also served as chairman of the Trustees' Resources Committee which is responsible for the University's total fund-raising effort.

By the time of the October 3, 1975 kickoff, a nucleus fund of \$32 million had been provided from 45 current or former trustees. This same group later added another \$15 million in gifts. Some 185,000 gifts were received from all sources over the course of the campaign. Individuals gave \$128 million, corporations over \$40 million, foundations \$69 million, and associations \$20 million.

Seven donors gave \$4 million or more and 38 donors gave between \$1 million and \$4 million. More than half of the total—\$131 million—came from just 90 gifts. The following elements played a major role in reaching the \$255-million goal on schedule:

Some \$174 million came from thirteen regional areas, including \$92 million from Philadelphia, \$48 million from New York, \$6 million each from Washington, D.C., and the Los Angeles-San Diego area, and roughly \$4 million each from San Francisco, Florida and Texas. Wilmington (Delaware) and Pittsburgh were in the \$3-million range and Detroit and Chicago both topped \$1 million.

Almost \$47 million was provided through Planned Giving, a program that incorporates bequests, life income trusts and memorial gifts. Some 500 persons used these ways to support the campaign.

The Telefund Project, a special one-time event launched in 1979, used trustee letters and follow-up student phone calls to reach 72,000 alumni yet unapproached. Pledges totaling \$6.5 million have been received thus far.

A Campus Campaign aimed at Pennsylvania's

12,000-strong faculty and administrative staff is also believed to have set an official record for funds generated by the members of the University's "immediate family." Even though all solicitations were made through the mail and participation was anonymous, the campus group topped a goal of \$7 million. The largest contributor, the School of Medicine, helped to establish four named professorships with its \$3 million in gifts.

Annual Giving, which began the campaign at the \$3-million level, advanced in carefully targeted increments to \$5.9 million. Spurring Annual Giving to new heights was a \$1-million matching fund set up by a trustee group in 1978. Annual Giving during the campaign exceeded \$22 million.

The Program for the Eighties effectively doubled the rate of private support of the University from approximately \$25 million to \$50 million annually.

Among other notable accomplishments were the provision of 48 named professorships; \$106 million in program support for such programs as the Center for the Study of Organizational Innovation, the Early American Studies Center and the South Asian Studies Center; \$24 million for scholarships and fellowships; a new Medical Education Building; a new Small Animal Hospital; complete relandscaping of College Hall Green; a new baseball field; the refurbishing of 14 dormitories and the establishment of a College House for Health and Society.

Upon completion of the Program for the Eighties, the University Trustees adopted this resolution:

Whereas the University of Pennsylvania has successfully accomplished the campaign goals set forth in 1975;

Whereas Pennsylvania's finances and national academic reputation have been strengthened and enhanced;

Whereas many urgent and promising academic administrative and physical priorities have been satisfied;

Whereas special new opportunities have been created through the unification of the campus and the establishment of closer ties between the faculties and schools thereon;

The Trustees of the University of Pennsylvania do acknowledge the attainment of One University in spirit and in substance and hereby pledge themselves to permanently consolidate these gains and build upon its new foundation.●

VOLNEY ADAIR SCOTT: WOMAN OF ACHIEVEMENT

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. ANDERSON of California. Mr. Speaker, on October 23, the Business and Professional Women's Club of San Pedro will present Volney Adair Scott with its Woman of the Achievement Award. It is especially fitting at this time, since the week of October 19-25 is National Business Women's Week. As Volney Scott is truly deserving of this recognition, I would like to take a few minutes to outline her accomplishments.

Volney Adair Scott is a product of the South Bay area; she was born in Long Beach and educated in the San Pedro School system. Volney left the

area for several years to study at the University of Arizona, but returned to California State University at Long Beach for her degree, which emphasized journalism and English.

Ms. Scott's activities in the community are well known, as her involvements have been very diverse. She has been extremely active in the San Pedro Chamber of Commerce, having served as a past president of the Women's Division. Volney also served on several of the chamber's committees, including the education and schools committee as well as the golf committee. Presently, Volney is a member of the chamber's "Ambassadors Committee," and is the chamber parliamentarian.

Mr. Speaker, Volney's contributions to the South Bay area have indeed been far-reaching. Her involvement ranges from the Harbor area YWCA to the Harbor area Police-Community Council, and as finance chairman of the Harbor area's Bicentennial Committee. Volney was a key member of the Cabrillo Pageant committee, and she has served as vice president of the San Pedro Episcopal Day School. When the Toberman Settlement House asked for help, Volney was one of the first to volunteer. She became the sparkplug of their membership drive, and the project immediately took on a new, dynamic dimension, with highly successful results for which the beneficiaries of the Toberman House can be truly grateful.

Mr. Speaker, Volney Adair Scott has been recognized time and again for her innumerable contributions toward making our South Bay area a better place to live and work. In 1976, she was accepted as a member of the Organization of Outstanding Young Women in America. The following year, Volney won the individual development speakoff in her local Business and Professional Women's Club. She went on to win the district competition, and represented the district in the statewide contest. Furthermore, Ms. Scott is president-elect of the San Pedro Club for the coming year.

It might occur to my colleagues that all I have mentioned thus far are activities outside of any career. Here too, Volney Scott is successful. She owns and operates Volney Unlimited, an advertising, finance, and bookkeeping concern in San Pedro. That Volney admirably balances all these time-consuming activities so well is further justification for her being honored with the San Pedro Business and Professional Women's Club Woman of Achievement award.

My wife, Lee, joins me in congratulating Volney upon receiving this prestigious award. Her dedication, leadership and service to San Pedro and the entire South Bay community is greatly appreciated by us all. We wish

Volney, and her daughter, Dhyana Ouray, all the best, and hope that the years ahead will continue to be not only successful ones, but happy years as well.●

CARTER'S NUCLEAR NONPROLIFERATION POLICY

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. FINDLEY. Mr. Speaker, the adverse impact on U.S. nonproliferation efforts of President Carter's decision to ship nuclear fuel to India and the Senate vote permitting him to do so is already becoming evident around the globe.

A September 25 article in the Zurich Neue Zuercher Zeitung expresses the Swiss reaction. The Swiss join the other European nations who, because of the Carter action on India, are showing their open disdain for the administration's nonproliferation policy. If the United States will not take minimal steps vis-a-vis India, how can this country expect European cooperation in precluding a Pakistani or Iraqi bomb?

It is now up to the State Department, to the White House, and to those others who argued so strenuously that shipping the fuel in question to India would not hurt U.S. credibility in nuclear nonproliferation efforts to prove it.

The article follows:

BERN AS WASHINGTON'S SCAPEGOAT?

The Carter administration is presently trying to wrestle an agreement from the U.S. Senate to supply enriched uranium to India. At the same time, the same Carter administration is launching a barrage against Switzerland, a publicized barrage which also makes use of indiscretions, because Swiss firms are supplying Pakistan, not with fissionable material or with "sensitive" technology for producing nuclear bombs, but with industrial products for general use, albeit very valuable products.

The Carter administration admits that by issuing export licenses for these goods, Switzerland in no way violates the "letter" of the nonproliferation treaty. But the administration imputes that Switzerland is violating the "spirit" of the treaty, because the products supplied to Pakistan could possibly be indirectly used for building a nuclear bomb.

Thus the nuclear power United States plans, for foreign policy reasons, to supply an Asian country, which according to official statements intends to build nuclear bombs, with the important fissionable material despite the nonproliferation treaty and despite its own legislation on nuclear exports of 1978. On the other hand, Washington talks about "punitive measures" against the nuclear have-not Switzerland, because it exports industrial equipment to other states, Argentina or Pakistan for instance, which can be used for building nuclear energy installations, among other things, but which is not listed in the nonproliferation treaty.

The arguments advanced by the United States are hardly credible. When the treaty

on the "nonproliferation" of nuclear arms became effective in 1970, many governments, including somewhat belatedly Switzerland, signed the document, expecting that it would help avoid having many countries get hold of nuclear arms. This expectation combined with the hope that the big powers would, on the one hand, reduce their stocks of lethal nuclear arms and, on the other, facilitate the peaceful use of nuclear energy. The treaty expressly established the "inalienable right of all parties to use nuclear energy for peaceful purposes without discrimination."

It is this equal right of the parties to the treaty which is threatened in practice, if the suppliers of nuclear fuel refuse to issue transport licenses with the obvious intention of cornering or even eliminating unwelcome competitors in the sector of technological, non-nuclear equipment. At the second revising conference on the nonproliferation treaty in Geneva recently the Swiss delegation stated rightly (and with the broad approval of other states) that the plan to achieve the nonproliferation of nuclear arms by restricting the civil use of nuclear energy was unrealistic. Chicanery against a small country which has no nuclear fuel resources of its own and strictly adheres to the agreements would bring about nothing in this respect. Instead efforts need to be undertaken elsewhere to abolish the political reasons for building nuclear arms.

All things considered, there is the unpleasant impression that Bern has become the current scapegoat of the Carter administration for domestic or election reasons. This role fits poorly into the picture of close confidence which characterizes Swiss-U.S. relations in the light of the fact that Switzerland represents the U.S. interests in Iran. A settlement of the present differences with the renunciation of unilateral pressure would seem to be invaluable to both sides.●

CHICAGO'S POLISH AMERICAN EXHIBIT

HON. JOHN G. FARY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. FARY. Mr. Speaker, the Polish American exhibit was a resounding success this past weekend of September 19, 20, and 21. Held at Chicago's Navy Pier and attended by over 75,000 people, it was a fitting tribute to Polish-Americans everywhere.

Among the exhibitors were the airlines, importers, political groups, artists, food manufacturers, travel agencies, bookstores, bakeries, professional associations, newspaper publishers, schools and retailers of all kinds. A special display of products and services could be found in the international bazaar, where the rest of the world had the opportunity to meet Polonia and vice versa. Another favorite spot of special interest was the heritage area, where the greatness of Polish and Polish American culture could be explored.

Founded in 1976 by Lee Jasinski Herbert, the exhibition has grown from 1,200 participants that year to 75,000 in 1980. This year's program enjoyed an unprecedented success due to the very fine work of T. Ronald Ja-

sinski Herbert, the exhibition's public relations director.

Organizations that will benefit from the proceeds of the exhibition are the Polish Welfare Association and the Heritage Club of Polish Americans.

The POL-AM-EX provided a worthwhile program for the people of Chicago. The general public was made aware of the achievements of Americans of Polish descent in business, culture, the professions, and the performing arts.●

THE STATE OF AMERICA'S DEFENSE

HON. JOHN P. MURTHA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. MURTHA. Mr. Speaker, America's defense is at a crucial point. We face the beginning of the 1980's with vital decisions to be made on America's military. It cannot be overlooked that those decisions will determine our future as a nation, and set the course for the free world for the remainder of this century.

To anyone who has reviewed the information on America's military, I think these conclusions must be obvious. During the first half of the 1970's, although many Americans did not notice it, the Soviets were steadily increasing their military capabilities while U.S. defense efforts were declining in real terms. As I have said: I am no longer convinced America is the strongest military power in the world. That decline in defense strength must be reversed.

Some of the steps we must take are clear:

First, we must be willing to make the financial commitment to military strength. The defense budget approved by the House of Representatives totals \$156 billion, the largest defense budget in history. I serve on the Defense Appropriations Subcommittee, and during our 6 months of hearings, the testimony proved there could be no doubt of the need for such spending—not just this year, but for many years to come.

Second, we must direct our attention to both nuclear and conventional strength. The United States and the U.S.S.R. still hold enough nuclear strength to destroy one another many times over, but we must not weaken our nuclear capability to a point where the Soviets find the losses they would sustain in such a war acceptable, given the limit of damage we could do to the Soviet Union. In short, we can never allow them to think they can win a nuclear war. On conventional strength, I am convinced we have fallen behind. Even in the nuclear age, the potential for slow, persistent country-by-country aggression remains, and the United States must be willing to draw the line to help protect other

free countries, and have the tanks, weapons, guns, and so forth to back up our commitment.

Third, we must continue to review American military manpower. I strongly supported return of draft registration to help our Nation be prepared. The fact is we may have to return to a draft. All the services lack enough troop strength, and enough trained strength. As equipment becomes more and more sophisticated, so must the personnel to operate it, and at the present time this technological ability is in doubt.

Fourth, military planning cannot be static. We must be better prepared to meet all contingencies around the world, to react quickly and surely, and to make certain our adversaries know we will act.

Against that backdrop, let me enumerate for you, briefly, some of the steps we have approved in that defense budget to help meet these needs.

First, we approved funds for the production of the new F-16 and F-18 aircraft, and the XM-1 tank. These are basic steps to help our ground and air capabilities, designed to include the most modern technology.

Second, in order to improve our ability to respond rapidly in case of a non-NATO military contingency, we have created a rapid deployment joint task force, and assigned Army, Navy, and Marine units as well as tactical fighter and aircraft wings to develop a better quick-response capability. This must be upgraded, however, from its present capabilities.

Third, plans outlined in this budget call for updating and building new ships; our current plans call for extending our fleet to a full 550 ships. We will purchase new attack submarines and frigates as well as improving our air and sea defense systems.

Fourth, we have placed a great emphasis on recruiting programs and retaining the trained, skilled personnel we have. We are rapidly approaching the point where we must make a final decision on the success of the All-Volunteer Force and how it will fit into our manpower needs for the coming decade.

Ladies and gentlemen of the House, I cannot overemphasize to you how complex and difficult our military situation is. I need not tell you how critical it is to our Nation and our freedom. Possibly, the most positive defense step to come out of the year 1980 is the growing realization by so many Americans of the true defense problems we face.

Just as our military problems did not develop overnight, neither will they be eliminated by one budget, or one decision. We must continue to press for military improvements, and we must remember how high the stakes are to our future. With that guidance and that goal, I believe we can continue to offset the might of the Soviet Union, but we must be diligent in our task, sure in our goal, and

determined to insure peace and stability through military strength.●

TAX CREDIT FOR DOMESTIC AUTOS

HON. CHARLES E. GRASSLEY

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. GRASSLEY. Mr. Speaker, I am introducing legislation today which will provide purchasers of domestic automobiles with a 10-percent tax credit. This tax credit will be applied to domestically manufactured vehicles that have a fuel efficiency better than 1 mile per gallon over the corporate average fuel economy—CAFE—standards. The amount of the credit will be limited to \$800 per vehicle.

The American automobile industry is facing serious financial difficulties due to the staggering costs of retooling their plants to produce smaller, more fuel-efficient vehicles. Twenty-seven percent of the new car sales in the first 4 months of 1979 were sales of imported automobiles. These two factors—significantly higher costs and smaller market shares—have seriously injured the domestic automobile industry. Thirteen or fourteen domestic automobile assembly plants have closed nationwide. Some 284,000 auto workers are unemployed. In the first 7 months of 1980, 900 car dealerships have failed throughout the United States, leaving 100,000 dealership employees out of work. In my home State of Iowa, 65 automobile dealerships have closed; 95 percent of those dealerships sold domestic automobiles.

The effects of a depression in the automobile industry are not confined to that industry alone. One job in seven is tied to the automobile industry and over 1 million workers are out of work in automobile-related industries. I submit that the time has come to take affirmative action to help the automobile industry through these troubled times.

For that reason, I am introducing this measure to help out our domestic automobile industry, our workers who depend on its health for their livelihood, our small businesses who depend upon automobile sales to remain in business, and to encourage the purchase of energy-efficient vehicles which will, in turn, lessen this Nation's dependence on foreign sources of oil.

It is infrequent that a tax measure can be structured to address so many problems—fuel efficiency, improving our balance of trade situation, assisting domestic industry and small business and, most importantly, arresting unemployment. My bill encourages individuals to part with their gas guzzlers and purchase more fuel-efficient domestic models. The benefits are readily apparent. The national average of miles traveled per gallon of fuel

consumed in 1978 was 14.06 miles per gallon. In model year 1981, the models which are being introduced in the next few weeks, the CAFE average must be 22 miles per gallon. This is a fuel economy improvement of nearly 8 miles per gallon. This statistic is the basis for Lee Iaccocca's claim that if everybody in the United States were driving a K-body Chrysler, we wouldn't need to import any more foreign oil.

My bill will cost \$1.9 billion per year in lost tax revenues. For my colleagues who might be tempted to find my bill too costly, I encourage you to recall the additional supplemental appropriation we passed just yesterday for the Unemployment Compensation Act of 1980, a measure which will cost American taxpayers \$1.4 billion over the next 6 months. This does not take into account the devastating psychological impact on the over 1 million workers in the automobile industry and related industries who have lost their jobs. Investing in production rather than loan guarantees and unemployment compensation benefits is a more constructive way to address this serious problem, both fiscally and psychologically.

I invite my colleagues, who are interested in taking positive action to aid the domestic automobile industry, to give their support to this measure.●

MARK STEVEN LIEBLEIN

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. BOB WILSON. Mr. Speaker, I wish to call my colleagues' attention to an outstanding young constituent of mine, Mark Steven Lieblein, who has been named the most outstanding high school senator in the United States by the National Forensic League. According to his coach, this is the first time that anyone from San Diego has taken first place in a National Forensic Tournament.

In the 7 day, nonstop speech tournament, 1,200 students from 49 States took part, and Mark emerged from the competition in first place. The dedication and the excellence he displayed are most deserving of our admiration and attention. I congratulate him for his outstanding record of success in the art of public speaking and extend sincere best wishes for his every success in his future endeavors.

As a portion of my remarks, I ask unanimous consent to include a California Legislature resolution approved by the joint rules committee in commemoration of this young man's remarkable feats:

CALIFORNIA LEGISLATURE RESOLUTION—
RELATIVE TO MARK STEVEN LIEBLEIN

Whereas Mark Steven Lieblein is deserving of special recognition and the highest commendations for his exemplary display of prowess in public debate; and

Whereas 17-year-old Mark competed as a junior on the Patrick Henry High School

Speech Team and was delegate to the National Forensic League Tournament in Huntsville, Alabama; and

Whereas 1200 students from 49 States took part in a seven-day, non-stop speech tournament, and Mark took first place in the Nation, and was voted the most Outstanding Senator, becoming the first San Diegan to win national honors; and

Whereas the dedication and determination, as well as the excellence, which are required to attain prominence in any field of endeavor, most especially in academics, are deserving of public acknowledgement wherever they appear; now, therefore, be it

Resolved by the Joint Rules Committee of the Senate and the Assembly, That the Members commend Mark Steven Lieblein for his outstanding record of success in the art of public speaking, congratulate him on placing first in the Nation, and being voted the most outstanding senator, and extend sincere best wishes for his every success in his future endeavors; and be it further

Resolved, That a suitably prepared copy of this resolution be transmitted to Mark Steven Lieblein.●

THE PRESIDENT'S TAX PACKAGE

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. KEMP. Mr. Speaker, the President's most recent economic program is distinctly odd. After denouncing long-standing Republican efforts to reduce marginal tax rates as inflationary, he has produced an economic package almost devoid of incentives, and dubbed it anti-inflationary. He has taken a number of off-the-shelf subsidies, and called them tax incentives. He has increased Federal spending and loan guarantees, and called it public investment. In sum, President Carter's most recent shift in direction is dismally consistent in one respect: It proposes to extend still further the Federal management of our economy.

Dr. Paul Craig Roberts of Georgetown University's Center for Strategic and International Studies analyzed the President's tax package, and concludes that:

The President's plan is a good way to lose revenues and run up the deficit in order to prevent the kind of incentive tax cuts the economy needs if it is ever to grow out from under Washington's thumb. * * * Rather than increase production incentives, many aspects of the President's proposal increase the discretionary power of government.

Dr. Roberts underlines the growing consensus that traditional demand-management policies have failed, and that it is time for the Federal Government to begin removing the disincentives which are strangling our economy.

I urge my colleagues to read this important paper.

The article follows:

THE PRESIDENT'S TAX PACKAGE

(By Paul Craig Roberts)

The popular pressure for tax cuts, first recognized by the Kemp-Roth bill, has

forced Jimmy Carter into a tax cut proposal of his own in his struggle to hold on to the Presidency. This is an abrupt turnaround for a man who only a few weeks ago was denouncing tax cuts as "fiercely inflationary."

Unlike the Republican plan or the Senate Finance Committee's bill, the President's package purchases small amounts of tax reduction at the expense of large increases in government power. It contrasts strikingly with the inclination of the Finance Committee and Reagan-Kemp-Roth to lower the tax rates, and leave the market to allocate resources.

THE ATTACK ON REAGAN-KEMP-ROTH-DISARMED

Only a few weeks ago President Carter told a national TV audience that the \$36 billion Republican tax cut proposal would cause "fierce inflation." Now Candidate Carter has proposed a \$27.6 billion tax cut in his own name which, he says, is "anti-inflationary." By proposing a tax cut himself, the President has undercut his attack on the Republican plan, since no one will believe that \$8.4 billion—the difference between his plan and Reagan's, and only one-third of one percent of GNP—is enough to bridge the wide gap between "fierce inflation" and "anti-inflation."

Following as it does the Senate Finance Committee's proposal for a \$39 billion tax cut package, the Administration's proposal puts to rest the pundits' claim that Reagan-Kemp-Roth is bad politics. With the debate settled, attention will now focus on the relative merits of the three competing proposals. The Republican plan is "supply-side" to the core, and would provide the most incentives to increase production.

THE FINANCE COMMITTEE'S BILL

The Finance Committee's bill "wastes" about \$7 billion in enlarging the zero bracket amount (formerly the standard deduction) and the personal exemption—"tax cuts" that are more effective at dropping lower income earners from the tax rolls than at increasing production incentives. However, except for these and the faster depreciation write-offs allowed for subsidized public housing, the bulk of the Finance Committee's bill is an application of incentive oriented "supply-side" economics. The bill: (1) replaces the large number of useful life categories for depreciating plant and equipment with a 2-4-7-10 depreciation system, thus allowing faster capital cost recovery, (2) lowers the capital gains tax from 28 percent to a maximum of 20 percent, and (3) lowers slightly both personal and corporate income tax rates.

The Republican plan is more heavily weighted with "individual" than "business" tax reductions. The Finance Committee's package allows \$22 billion for individuals and \$17 billion for business (as measured by static revenue loss), a 56-44 percent distribution which reflects productivity concerns that more than the traditional one-third should go to business. To the astonishment of commentators, the President's proposal reserves 55 percent of the tax cut for business.

THE PRESIDENT'S TAX PACKAGE AND THE GROWTH OF GOVERNMENT

The front page of the Wall Street Journal proclaimed that Carter's proposal "differs sharply from traditional Democratic cures. Instead of big spending programs to create jobs, the program focuses on tax cuts." But a closer look shows that the President's proposals establish precedents for using the tax system for aims quite different from lowering marginal tax rates or increasing production incentives. The Administration's supply-side vocabulary cloaks other ends.

At first appearance, Carter's proposal looks like nothing more than a clever politi-

cal move. By offering more than half of his tax cut to business, he can hope to pull support away from the Republican plan. Also, having only recently alleged that tax cuts are inflationary, this way of differentiating his product helps him avoid the appearance of another policy flip-flop. He can assert that his tax package is anti-inflationary because it stresses business investment and productivity rather than individual rate reduction.

His proposal to make the investment tax credit (ITC) refundable helps him on both counts. Many business leaders have wanted a refundable credit. It would especially benefit troubled sectors of major industry like car and metal manufacturers, railroads and utilities. And, economically speaking, since the rationale for the ITC is to boost the incentive for investment in new equipment, there is no sense excluding firms without any tax liability. Often it is rapidly growing and newly organized firms—firms making heavy investments in new equipment—that are unable to fully benefit from a non-refundable credit.

The President's proposal for a refundable ITC is, then, an economically rational and politically astute maneuver—but in more ways than one. It paves the way for making other tax credits refundable. For example, the Kennedy "liberals" want to make the child care credit refundable. Paralleling the argument for a refundable ITC, they claim that the child care credit is unfair to people with no tax liability against which to apply the credit.

Once auto and steel makers have refundable credits, the poor cannot be denied theirs. This calculation perhaps explains why Senator Kennedy supports the refundable ITC instead of assuming his usual posture of attacking handouts to big business. It might also explain why a business-baiting President would propose it. The child care credit is sizeable—up to \$800 per eligible return—and making it refundable would be a big step forward for the Federal welfare system. A refundable child care credit could become a very expensive income redistribution scheme.

The proposal expands the federal welfare concept in other ways as well. Since firms that lose money would benefit from the credit, the principle of extending the dole to business would be established. A result could be that bailouts would be institutionalized in place of the present case-by-case consideration by Congress. Subsidizing money-losing businesses as a general principle is not the way to "make careful investments in American productivity." A refundable ITC, while defensible in itself, might open a can of worms and ultimately do more harm than good.

The President proposes to expand the ITC in another way that is likely to contribute to the growth of government. His package contains a provision for an additional 10 percent refundable ITC targeted to revitalize declining areas. To qualify firms must obtain "certificates of necessity" from the Commerce Department. Neither eligible areas nor criteria for deciding eligible projects has been defined.

The operation of the bonus ITC would likely be highly politicized. Since the allocation of the tax benefit is dependent upon the action of the certifying authority, government acquires the ability to extend substantial tax privileges to its friends and to withhold favors from the politically uncooperative. Even if the system could be operated free of political corruption, the allocation of resources by government authority, rather than by impersonal market tests, means reduced efficiency in the economy's operation.

OTHER CONCERNS ABOUT THE DEPRECIATION PROPOSALS

Two other aspects of the President's depreciation proposals should be noted:

1. Under the Administration's proposal the rate of depreciation for equipment would be accelerated up to 40 percent greater than under present law. In conjunction with the faster write-offs, however, the Treasury Secretary would be given the authority to adjust the rates periodically. The price of faster write-offs is an increase in the discretionary power of government.

2. Also in conjunction with accelerated depreciation and a reduction in the number of asset classes, the President proposes to replace vintage accounting with open-end accounting. Vintage accounting segregates assets by year of acquisition, while open-end accounting provides for one account of each property type irrespective of the year that assets are acquired. The number of asset accounts would be significantly reduced. The result is simplified accounting and less record keeping compared to present law, and this is all to the good.

However, applying a fixed depreciation rate to an open-end account means that there is always a tail, or residual balance, in the account that is never recovered. Consequently the present value of the depreciation allowances under open-end accounting is less than under vintage accounting. The difference is not great in all cases for any particular asset, but the accumulated effect is likely to be substantial over a period of years.

When the disadvantages that are mixed in with the advantages are noted, the President's proposal is less pro-business than it looks on its face.¹

THE PRESIDENT'S PROPOSAL FOR INDIVIDUAL TAX REDUCTION

When the individual side of the President's tax proposal is examined, it again reveals the use of tax reduction for other purposes. For individuals the proposal centers on an income tax credit to partially offset, out of general revenues, the scheduled rise in the Social Security tax for 2 years (1981 and 1982). The effect of the proposal is redistributive. The more a taxpayer's income exceeds the amount subject to the social security tax, the smaller is the percentage reduction in his total tax liability, and the more he is discriminated against by the tax credit. More fundamentally the proposal amounts to an assault on the contributory principle of the Social Security system.

Some policymakers favor funding the system, which is regarded as a contributory pension system by most people who pay into it, out of general revenue funds. That would alter people's perception of Social Security and help them to see it as a welfare system. A means test denying the benefits to people with above average incomes would likely follow. The result would be to turn a retirement system into an income redistribution system.

If President Carter wants to provide tax relief to individuals, he has many alternatives that do not compromise the contributory principle of the Social Security system. Similarly, if the President's advisors judge the Social Security tax increase to be a problem for the economy, the cleanest and simplest action would be to propose delaying or repealing the scheduled increases. The only reason for letting the increases in the Social Security tax go into effect and then offsetting them with an income tax credit is to mix together Social Security and general revenues.

¹ The Finance Committee bill also contains open-end accounts, but depreciation is accelerated more and there are fewer depreciation categories.

FEEDBACK EFFECTS OF THE PRESIDENT'S PACKAGE

Although the President's proposal is the smallest of the three tax packages when measured in terms of the Treasury's misleading static revenue losses, it is likely to be the most expensive net of feedback. In fact the President's proposal is a good way to lose revenues and run-up the deficit in order to prevent the kind of incentive tax cuts the economy needs if it is ever to grow out from under Washington's thumb.

On the business side, the beneficial aspect of the President's package consists of the accelerated depreciation proposal, which would increase business savings. If not offset by a decline in personal savings or a rise in government borrowing, larger business savings could raise investment as a percent of GNP and increase productivity. On the individual side, the special deduction for a working spouse does reduce the marginal tax rate faced by a two-earner family. The rest of the package, however, is an inefficient use of tax revenues. Few supply-side incentives are purchased with the expensive temporary tax credit to offset the rise in the Social Security tax.

Rather than increase production incentives, many aspects of the President's proposal increase the discretionary power of government. As Barber Conable (R, NY), the ranking minority member on the Committee on Ways and Means, observed, after the President's "reform" of depreciation there would still be 30 depreciation classes. In addition a new boondoggle of regional and industry tax benefits would be created, for which the private economy would compete politically. More resources, therefore, would be diverted from economic to political activity.

It remains to be seen whether business, hooked by the President's proposals for accelerated depreciation and a refundable ITC, will lobby for the package and harm the chances of a much better bill. The Senate Finance Committee is far ahead of the Administration in moving toward better tax law from the standpoint of the economy's performance. The President's proposal should be seen as a desperate attempt to get on the tax cut bandwagon that he missed, and to buy his ticket with as few as possible supply-side incentives.●

GRAIN COMPANIES CRITICIZE USDA FOR MEXICO GRAIN DEAL

HON. WILLIAM C. WAMPLER

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. WAMPLER. Mr. Speaker, on January 16, 1980, Secretary Bergland signed an agreement with the Government of Mexico providing for the purchase of 4.7 million metric tons of U.S. agricultural commodities. On September 18, an amendment to that agreement was signed increasing the total Mexican purchases of U.S. agricultural commodities under this agreement to 7.2 million metric tons. These purchases represent a significant increase in demand for U.S. commodities due in large part to drought and other weather-related conditions.

I and several of my colleagues on the Agriculture Committee, however, are concerned about the text of that agreement. It states at the outset that "The Government of the United

States of America, through the Commodity Credit Corporation, hereby agrees to sell or arrange for the sale to the Government of the United Mexican States certain quantities of agricultural commodities. The implications this agreement carries for future sales involving CCC inventories which are being built up to near record levels through CCC purchases is of particular concern to us.

On his recent visit to Mexico, Secretary Bergland indicated that preliminary discussions were underway for a 1981 United States-Mexican supply agreement. I hope that the Department will be more prudent in its drafting of a new agreement so as to assure that the private sector and not the Government will be the supplier of all agricultural commodities in this and any other agreements contemplated in the future.

I would like to share with my colleagues an article written by Patricia Klintberg that appeared in the September issue of *Progressive Farmer* entitled "Grain Companies Criticize USDA for Mexico Grain Deal." This article highlights matters of concern to those of us in the Congress who have consistently opposed Government involvement in the sale of agricultural commodities.

The article follows:

GRAIN COMPANIES CRITICIZE USDA FOR MEXICO GRAIN DEAL

The Department of Agriculture is in hot water over the farm trade deal signed with Mexico.

Negotiated two weeks after grain sales to the Soviet Union were halted, the agreement calls for the U.S. to supply the Mexicans 4.8 million metric tons (MMT) of commodities during calendar year 1980.

But there's a key difference between the U.S.-Mexico and U.S.-USSR grain supply agreements: The nature of the supplier.

The U.S.-Russian agreement says "the foreign trade organizations of the USSR shall purchase from private commercial sources . . ." And, "... the government of the USA shall employ its good offices to facilitate and encourage such sales by private commercial sources."

In contrast, the U.S.-Mexico agreement states the USA, "through the Commodity Credit Corporation, hereby agrees to sell or arrange for the sale . . ."

The U.S. also assures Mexico "that it will utilize the full scope of the legal authority of the Commodity Credit Corporation to provide directly or indirectly these commodities . . ."

That's what the criticism is all about.

The wording of the agreement and USDA's subsequent sale to Mexico of 500 tons of rice has triggered protests from grain associations, farm groups and members of Congress.

In a letter to Secretary of Agriculture Bob Bergland, the North American Export Grain Association (NAEG) called on the secretary to explain "the unprecedented move" and "whether this indicates a shift in U.S. agricultural policy from one of free enterprise to one of greater government control."

And 13 members of the House Agriculture Committee told Bergland in a letter: "Such agreements have the effect of establishing the CCC as a de facto grain board."

USDA maintains the agreement was made to shore up farm prices in the wake of the embargo.

But the executive vice-president of the Rice Millers Association, Stephen Gabbert, says, "That begs the central issue. There's a change in policy that is verbalized in the agreement."

USDA "go-between." Since the agreement took effect in January, Mexico has purchased some 5.5 MMT of corn, sorghum, beans, wheat and other agricultural commodities. Virtually all the sales were made by the private trade with a little help from USDA.

Kelly Harrison, General Sales Manager of the Commodity Credit Corporation, explains that Mexico tells USDA what it wants to buy. He says, USDA provides Mexico a "complete list of suppliers that might be interested in bidding against the tenders. Then we actually issue the tenders for them. We provide a room for the Mexicans to award the bids in USDA and we have an observer there at the time of the announcement."

The procedure "is unprecedented, but the agreement says CCC will sell or assist in the sale . . ." says Harrison.

"They've really set up a trading section in USDA. They are in business," charges NAEG Executive Director Joseph Halow.

USDA's Harrison, who some suspect is chief architect of the agreement, calls such protests "naive."

"I think one has to be fairly realistic about how the world is organized," he states. "We are concerned about the long term. And the long-term concern is the urgency of improved broad-based relations between the U.S. and Mexico."

Critics point to U.S. embargoes as the sole reason Mexico wants a supply agreement with the U.S. "They want to know their supplies can't be cut off," says NAEG's Halow.

"I don't care how USDA tries to explain the agreement away, whether Mexico has energy sources or whatever," adds Stephen Gabbert. "You can use the same argument for having other bilaterals with Saudi Arabia or Nigeria."

CCC also maintains the sale of rice to the Mexicans was not precedent setting. "The CCC charter act has an 'exception' clause under which direct sales to foreign governments have been made in the past," says Harrison.

"But such exceptions are supposed to be for restricted use," argues Halow.

In fact, CCC has sold Mexico nonfat dry milk in the past and as recently as in May 1980. But the commodity was for restricted use—for donation or government feeding programs.

USDA's rice sale to Mexico was not "restricted"—making it identical to transactions carried out by the private trade.

The Rice Millers Association warns that if CCC can make the "exception" and sell rice, CCC could sell feed grains and wheat directly, too. The point is they've got the authority and it can be done," says Gabbert.

Harrison admits a similar situation could occur with corn or some other commodity "when supplies are released and we want to reduce them, expand exports and could justify it."

But he adds: "I just don't think it's likely the Secretary would sell large quantities of commodities until Congress debates the issue."

More of same in '81? However, before Congress has a chance for that debate, the Mexicans may opt for a similar agreement for calendar year 1981.

"Certainly, I think the Mexican government expects that CCC will continue to play

the same role. We'd start from there since that's what the 1980 agreement says. But no decision has been made on the conditions of the 1981 agreement," Harrison says. ●

TRIBUTE TO MRS. LILLIAN BRUNSON HAMILTON

HON. CHALMERS P. WYLIE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. WYLIE. Mr. Speaker, I take this occasion to announce the retirement at Gallaudet College of Mrs. Lillian Brunson Hamilton, who formerly was for many years a member of the staff of the House District of Columbia Committee under the chairmanship of Hon. John L. McMillan of South Carolina. Mrs. Hamilton has maintained close contacts with Capitol Hill through the years and has many friends here. Her record at Gallaudet has been distinguished. She is the author or coauthor of dozens of teaching manuals for the deaf and of three sign language dictionaries which are in use in many foreign countries. While not deaf herself, she is a master of the sign language, speaking it more fluidly than many of those who actually are dependent upon it as a means of communication. Lillian Hamilton is an extraordinary lady who is to be congratulated for her significant achievements. ●

GAYS IN BUSINESS: THE PREJUDICE AND THE POWER

HON. JOHN L. BURTON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. JOHN L. BURTON. Mr. Speaker, I would like to share with my colleagues a recent article from the San Francisco magazine, entitled "Gays in Business: The Prejudice and the Power."

Recognition of their achievements in our society is long overdue inasmuch as many people do not realize that gays are an integral part of the business world. They own construction companies, financial institutions, publishing companies, and legal practices.

Yet, they continue to suffer from discrimination. One recent example is the House deletion of Legal Services Corporation funds for poor people who happen to be gay. As I said at the time this amendment was offered on the floor, "I believe it is outrageous . . . the citizens in my district who happen to be gay are business people. They pay as much taxes as many of us here." Hopefully, the Senate will be able to delete this discriminatory amendment during their deliberations on the bill.

The article follows:

GAYS IN BUSINESS: THE PREJUDICE AND THE POWER

(By Joe Flower)

Yale is written all over him—the bow tie, the white shirt with blue pinstripes. Balding, intense, compact, his owlish eyes blinking over Cy Vance half-glasses that make him look much older than 32, he leans over the desk making his points with an extended forefinger. Over his shoulder, out the 27th-floor window, I can see the afternoon sun cutting across the jumbled flanks of Russian Hill. He is detailing his story—the childhood winters in Maine, the high class standing, the stint on the Yale Law Journal, the service with Naval Intelligence in Vietnam, acceptance into one of the oldest and most prestigious law firms in the City, steady growth in anti-trust, copyright, and trademark work, rapid rise to partner. It is a story of a controlled, brilliant, and ambitious man.

Two days later, over coffee in the Noe area, I am talking with the owner of an accounting firm. Charming and ebullient, she is also a partner in three night clubs and a director of a savings and loan association. The breeze ruffles the curtains while she talks of the rough and tumble of business, her upcoming trip to the East Coast, and the vagaries of a tumultuous career.

The next day, cold beer in hand, I sit propped against the mast of a catamaran bobbing at its moorings in Sausalito. The boat's owner, fit and tanned, sits across from me, talking about his work. He is a broker, president of a successful and growing commodities firm with branch offices throughout the West.

The three have more in common than they seem to. They are three of the thousands of gays who have established thriving careers in business in the Bay area.

America seethes with gay backlash in 1980. Preachers pledge their souls against drug addiction, promiscuity, and homosexuality; local citizens vote their fears against anti-discrimination laws; television networks produce documentaries that slyly link gay political power to sado-masochism and public excess.

The turmoil is a reaction to the many gays that have decided to be honest about their sexuality and "come out of the closet." This recent openness has begun to reveal the extent of the gay presence in the straight business world. To the surprise of many, gays do more than run hair salons and nitsy boutiques. They own construction companies, financial institutions, publishing companies, and legal practices. Whether they openly acknowledge or are clandestine about their sexual preference, there is no field of endeavor in which gays are not involved.

Last year a Houston councilman referred to gays as "oddwads," and promptly lost his seat. I mentioned this to the vice president of a shipping firm I have met at a Financial District gay bar. He pulls out a napkin and begins to make a list: queers, dykes, faggots, perverts, queens, nellys, swishes, pansies, lulus, fairies, inverters. "They have names for us, all right," he says.

"It's as natural to me as breathing," says the man from the real estate syndicate. "It never bothered me a bit."

"Gay men have high moral standards," says the businessman itching to turn politician, "and I'm proud of our contributions to society."

Spray painted on a construction trailer at Market and Duboce: "If God had meant faggots to exist, he would have created Adam and Bruce." Spray painted just below: "He did! He did!"

Jerry Berg leans across the desk and asks how he can help me. The office is crisp,

fresh, just out of the wrapper. His expanding legal practice has been here a week. Six feet to my right, the picture window view spills 10 stories down to Union Square, the St. Francis, cable cars, and one banjo player about to be arrested for cruelty to folk music.

Berg doesn't fit the gay stereotype. In fact, few of the scores of gays I am to meet will "look gay." They will be business people, lawyers, stockbrokers, professionals, and they will look like professionals (though one lawyer will dismiss this three-piece, 14-pocket Post Street suit as "my court drag").

Berg used to guard his privacy. Interviews like this are difficult for him. In fact, he kept his homosexuality a secret until the spring of 1977, when Anita Bryant began assuring the world that homosexuals were dangerous, child-molesting perverts who should be banned from public employment if not burned at the stake. "She did the movement a great service," says Berg. "She motivated the mainstream, the professionals who hadn't been willing to deal with it."

When John Briggs imported Bryant's ideals for the Proposition 6 campaign (which would have allowed the firing of teachers who were thought to be gay), those mainstream professionals organized a statewide coalition of straights and gays to oppose it. The coalition raised nearly a million dollars, garnered endorsements from many churches and politicians (even Jerry Ford and Ronald Reagan), and won.

Berg was Northern California co-chair of the Concerned Voters of California then, so when CBS came to town to do a CBS Reports on "Gay Power, Gay Politics," George Crile spent most of a day interviewing Berg and two friends in his office. Last May, it hit the tube. There was Berg's face on network hookup, his carefully considered words interspersed with beefcake, Beaux Arts Ball drag queens, rent-a-rack torture stores, and grainy, badly focused shots of people in Buena Vista Park engaged in something that the announcer identified as public sex.

"A few days before it aired I got hold of a script," Berg recalls. "I was agonized. I really went crazy. I thought, there go all of my straight clients." He stops for a moment, his light eyes steady and brilliant. "The response amazed me. I got more letters. I have one client, a manufacturer in Ohio, straight as can be. He was at the top of my list, the first to go, I thought. The show was on a Saturday, and on Tuesday I got a letter. The guy had seen the show, with his family, yet, wife and kids. And he had sat down at the home typewriter and tapped out two pages, single-spaced, telling me how impressed he was. How grateful he was for my courage. How he supported me. He said he'd be in California next week; he didn't have any legal business to talk over, but he'd like to take me to lunch. There was great support, some of it from places I would never have expected."

"We are everywhere." It's the most recent slogan of gay liberation. It sounds like a prickly-your-skin, stage whisper out of a 50s zombie movie, the reverberated all the way up, the killer triffids coming up your street in gen-u-wine 3-D. Unlike many slogans, though, this one is literally true. They are everywhere. Sex researcher Dr. Alfred Kinsey's oft-repeated statistics are now 30 years old: Years of careful research using methods later examined and praised by the American Statistical Association established that 10 percent of American male are, in his words, "more or less exclusively homosexual." He found lesbianism harder to track; his estimates for females fell in the 3 to 5 percent range.

Using the figures straight across yields an estimate of 350,000 homosexuals in the Bay Area. But we cannot use the figures straight across. For one thing, the creation of a feminist value system and female role models by the women's movement has allowed many more women to realize their homosexuality. And of course San Francisco is not Sparks, Nevada, but something of a gay Mecca. So the figure for the Bay Area is probably closer to a half-million gays.

They are everywhere. The man across from me spent 18 years in the trust department of a bank. At 46, Burleigh Sutton is ruggedly handsome and muscular. His silvery gray hair and mustache give him just the look you would expect of a bank vice president relaxing between jobs. He resigned earlier this year, three months after his Chartered Bank of London merged with the Union Bank. We sit and sip coffee in deep, elegant chairs of a Twin Peaks interior or so well designed that I am tempted to take notes for future reference. Sutton tells me that in his 10 years at his last job he multiplied the assets of the trust department 28 times. Did they know he was gay? It didn't matter.

"When you're over 40, reasonably attractive, unmarried, and they never see your girlfriends, in this City they know. After 1975 I didn't make any effort to conceal it. The day after Harvey Milk was killed I came out to my boss; I told him I was going to take a more active role in the movement."

Sutton's homosexuality was "never that traumatic" for him, and it never hindered his career. There is a fantasy still alive somewhere in which we all sit down together as brothers and sisters and treat each other with R-E-S-P-E-C-T, but it's not here yet. I ran across another man in Sutton's position, a vice president in charge of a trust department in Florida, who was 86'd without a day's notice at the height of the Bryant craziness, charged with being seen "in the company of known bisexuals." He was a profitmaker, too. If they'd had their druthers they would have probably kept him around, but with animal zannies like Bryant and her crowd loose in the woods, well they just thought it would be safer for all concerned if he disappeared.

Stories like that abound, and they make gay professionals a cautious lot. As one computer systems designer put it: "There's just no agreement out there that being gay is all right." Everyone has a set distance that he or she will travel beyond the safety of the closet: "No picture, but you can use my name"; "No name, but let me tell you a story"; "Why the hell do I have to talk to the press anyway? I wouldn't ask you those kind of questions."

Media sorts love gays. They're good copy. Time's special issue on gays grabbed the magazine's all-time number two spot for sales. The networks and big Eastern slicks do a few serious stand-ups with Responsible Gay Leaders, then mix them up with what Sutton calls "the obligatory transvestite sequence"—the guys with snakes wrapped around their heads and fairy wings. Never mind the accuracy of the thing. Never mind that the leather torture fantasy store in the film has a mostly straight clientele. Never mind that the "glory holes" have as much to do with the average gay as topless bars do with the average straight.

That's what happened to one rather retiring, almost diffident guy who lives alone in a small house in Sausalito's "banana belt." He is vice president of a publishing company. He also works with the Human Rights Foundation, a group whose major project is bringing selected gays into the schools simply to answer questions, to "demystify"

homosexuality, to cut down on the fear-and-anguish quotient. And there he was on the CBS special, his project characterized as one that "would frighten many heterosexuals" and finally identified as "teaching homosexuality in the schools." A fine line was crossed, and suddenly the HRF, the most moderate of groups, came across as a clique of gay brown-shirts goose-stepping the youth of America into the nearest gay bar.

His mother, in Iowa, had seen the show, with all its beefcake and drag queens. The next time he visited her she spirited him inside as if he were a fugitive. She asked: "Is that what you do in California?" She was afraid of what the neighbors might think. He told her: "They probably didn't think anything." He recalls being very open and clear and close with her, and that she stopped worrying. When someone asked her what she had done with her weekend, she said, "I visited with my son. It was the best weekend I have ever had."

Gays in business always have to decide for themselves how to handle that narrow choice between hiding ("The energy for that could be put to better use," according to a major executive) and being a Responsible Representative of Homosexuals Everywhere. Some will not put up with it. They have work to do; businesses to build.

"I am a representative of myself," Bob Hunter tells me. He has just traced for me his own business odyssey—nine years of globehopping for a medical division of Johnson and Johnson as director of corporate development, resigning for philosophical reasons ("The medical business is invested in sickness, not health"); nine months of working with Bill Graham's organization; finally founding Travel Space, Inc., a broad-based travel organization with grand designs and plans for rapid growth. "I represent myself, and the next guy represents himself." A visitor in his office chimes in: "So I happen to like men's bodies instead of women's. That doesn't run my life. I go about my business." Hunter nods his agreement.

John Schmidt takes the opposite tack: Make it your business. We are seven floors up in the world's skinniest office building, the 21-foot-wide curiosity at 130 Bush. The owner of Schmidt & Schmidt, a thriving insurance firm, is handing me a thick prospectus for a new savings and loan association, Atlas Savings and Loan. It is aimed at the gay market. John Schmidt is listed as chairman of the board. "I wanted to do all I could to change the stereotypes," he says. "Besides, two women together or two men together should feel comfortable asking for a loan. At too many banks they sort of look over their glasses at you and say, 'You're both going to live there?'"

Besides the ideals involved, does he feel that such a venture will turn a profit? "Oh, yes. It is, first and foremost, a good investment."

Yes, a good investment. Last year Business Week reported that projections from a Los Angeles-based study suggested that gays control 19 percent of all spendable income in the United States. In 1977 the Advocate, the national gay bimonthly, commissioned L.A.'s Walker and Struman Research Inc. to survey its 73,000 readers. Among their findings: The average household (1.4 persons) had an annual income of \$23,600, about 50 percent higher than the national average. The 79 percent that use commercial airlines rack up an average of four trips per year. College grads: 70 percent. Employed: 97 percent. Regular voters: 84 percent (double the national average). It begins to add up.

It is four o'clock on a Sunday afternoon. Trinity Street, a little side canyon among the financial canyons downtown, is blocked off. Halfway along, marked only by a lan-

tern over the door, is Trinity Place, the cavernous, two-story gay hideaway watering hole. The tribes have already begun to gather. Pure Trash and the Bottom Line Dancers are setting up. It's party time for the GGBA 500. The Golden Gate Business Association, the City's gay Chamber of Commerce, is welcoming its 500th member. (Earlier, when I mention this to a skeptical neighbor, he asks, "Can there be 500 hair salons and antique stores in San Francisco?" We checked the most recent GGBA buying guide and found only six hair salons and three antique shops. On the other hand, we found 19 lawyers, 13 contractors, 11 printing firms, two dozen real estate firms, four savings and loan associations—Atlas, Continental, Fidelity, and United Federal—and such corporate members as Holiday Inn and United California Bank.)

Schmidt, one of the founders of the GGBA, has told me "Despite the current rise in fundamentalism, I am optimistic. I put my hopes in economic power." But the current master of this celebration, Arthur Lazere, a CPA in private practice who displaced Schmidt as president of the GGBA and has now been elected vice president of the gay National Association of Business Councils, seems to represent a new, more aggressive era in gay leadership. Founded in 1974, the GGBA in its first years played it a little quiet. A lot of gay businessmen, the older ones especially, had gotten along by a kind of creative camouflage, and here they were, actually putting their names down on a list of gays.

That era is over. Lazere sees the GGBA as "building bridges to the straight community," and the GGBA brochure urges gays to put their mouth where their money is.

Five hundred is an impressive number but, as one publishing executive commented: "For every one person in the organization, there are many who would not want to see their names on a list." Looking around Trinity Place, it is clear who at least some of the missing people are: women. Of the five hundred gay businesses in the GGBA, less than three dozen are owned by women.

It has been hard to find women to interview. Donna Hitchens, a lawyer working with the Lesbian Rights Project, estimates that there may be 5,000 working lesbian professionals in the Bay Area. By the third week of phone calls I have not found even one lesbian in a management position in a large firm to talk to me, even anonymously.

With help from the women that I did talk to, I can guess why. First, as one woman said, "Who needs the risk? It is hard enough for a woman to be successful in the business world without the added burden of the prejudices that people have against homosexuals." And the list of contacts that I could use is skimpy. Most of the lesbians that I do talk with tend to think of themselves as feminists first, as homosexuals second. They are wary of predominantly male organizations like the GGBA.

There are, in fact, at least two social organizations of lesbian professionals in San Francisco, and several others scattered throughout the Bay Area. They are clandestine. Their membership lists and telephone trees are kept secret, the names tags worn at their events carry first names only.

Karen Anderson Ryer says, "The law is theatre." She is a lawyer, a partner in Oakland's Ryer & Ginsberg. We are at my office on a Sunday afternoon, having coffee and fresh blackberry muffins. Ryer mentions that 90 percent of the clients for her general civil practice are straight. But her lesbian clients and her friends sometimes criticize her appearance. "Normally I wear a suit, or pants and blazer. But in the more conservative courts, and before judges who don't

know me, if I think it will help I will wear a dress, heels, earrings, make-up. I'm a lawyer, and I do what is necessary to win the case."

She does what is necessary. But it is her practice, just her and her partner, and they run it their way, which happens to be a kind of humanist law—low cost, low overhead, spend time with the client, get the client into the process, demystify the whole thing, serve the people.

Independence: I hear the same tune from other lesbians. Lanky Pat Fincher folds herself onto her couch in Daly City. I sip coffee that her friend Jean Shaw has poured for me. The room is decorated with figurines from West Africa, a chest from Shanghai, tokens of her and Shaw's obsession: They are "travel junkies." Fincher is an agent for Allstate Insurance. She works for someone else, true, but in a business where performance is measured objectively by sales. As Fincher puts it, "In this society, the only thing that we all agree on is money."

Independence: Shaw herself is moving out of Academe, where results are hard to show and success depends upon the subjective judgment of others. She is moving into insurance and real estate. She says, "One of the things that I like most about being a lesbian is that there are very few rules and regulations about my behavior."

That's a tune that Charlotte Coleman would understand. She was booted out of the Internal Revenue Service when Ike was still in the White House. "It was the best thing that ever happened to me," she says now. Now she owns an accounting firm and an interest in two bars and a disco, and she serves on the board of Atlas Savings. Up in her place above Noe where it peaks between Noe Valley and the Castro, she sits back and relives it like someone's more-alive-than-you'll-ever-be grandma.

"I liked being an auditor. I liked paper work and numbers. I was up for a grade raise, and they had some investigators with time on their hands, I guess. When they finally confronted me with the evidence the file was three inches thick. They had followed me for over a year. They had talked to all of my neighbors. They had the names and addresses of all my friends. Every time I had gone out of town, to Santa Cruz or Sacramento, they had gone along for the weekend. They had spied on every party. Friends later told me that they had found piles of cigarette butts under their windows."

The IRS allowed her to resign.

At the same time, Congress was passing a resolution of special commendation for a select few civil servants recognized as superior workers. Charlotte Coleman was one of them. The congressional citation arrived at her department two weeks after she had left.

So she resumed her life in business, doing what she had wanted to, helping to build up organizations like Society for Individual Rights, Pride, Operation Concern, and the Tavern Guild.

Involvement of that kind plays a necessary counterpoint to independence. As a prominent gay executive put it, "We have to help make the City work." So he works with the Human Rights Foundation, as do Sutton, Berg, and Ryer. Lazere devotes time to the GGBA and its national counterpart, as do Fincher, Hunter, and Schmidt. At the same time, gays work in dozens of community organizations that have nothing particular to do with gay liberation.

The Upper Market Street Association, which lobbies for traffic improvements on Market beyond Castro was founded by Fred Brothers, president of Brothers Construction Company. Six years ago Brothers was fired as a construction executive by a major

Los Angeles firm because of his homosexuality. Now he is president of his own growing firm. He has just founded the Castro Times. He allows modestly that "my friends call me the Mayor of Castro." He is itching to take on Harry Britt.

Bernard Pechter, on the other hand, worked on Britt's campaign. He's a stockbroker. Here at his "SHAD" (Summer Home of Architectural Distinction), hung off the shoulder of Mount Tam, we are sunning poolside over wine and Italian sausage.

"Come on up for lunch," he said. "We'll have to rough it a bit, though. I'm one of the five faggots in San Francisco who can't cook. Blame it on latent heterosexual tendencies." He says that he has left two firms in the past three years over the issue of advertising in the gay press. "Nobody is tapping that market. My ads in the Advocate have brought me a lot of commissions."

Pechter has served on the boards of ACT and the Performing Arts Service. He has had a play produced at ACT and has labored in the political trenches, but the most important thing, he says, in his adult life was his founding four years ago of Sha'ar Zahav, the gay synagogue (with a gay rabbi, Allen Bennett). "Some Saturday nights we have more people there at the Jewish Community Center than at any other congregation in town."

"When I was younger, I was agonized about my homosexuality. I finally decided to confide in my rabbi. I said, 'I have a problem.' He said, 'You can tell me.' I said, 'I am a homosexual.' He said, 'Drop by Thursday night. We have a singles group. You'll meet a nice Jewish girl and settle down.' I said, 'I don't think you understand. I am a homosexual.' He said, 'Come Thursday night. . . .'" So first he was a Jew. Then he was a homosexual. Not until Sha'ar Zahav did he feel that he could be both.

"We got a lot of flack from other synagogues at first. They said, 'Gays are welcome here.' I'll know gays are welcome when the rabbi will make an announcement like, 'Congratulations on their 10th anniversary to Larry and Frank! Mazel tov!'"

The fog coming through the Golden Gate has beaten a momentary retreat. Beyond Richardson Bay and Alcatraz I can see the City—so like someone's fairy tale city in the clouds, filled with unbelievably powerful and benign beings. But this city, for all its magic reputation, harbors a great many secret people.

There is no reason to think that homosexuality is any rarer among the people who occupy the higher rungs of business. Images of gays as introverted, ineffectual, or unambitious are so much poppycock. Pechter has said that he knows dozens of gay stockbrokers, even gay board chairmen, and in this he echoes everyone else that I have talked to. But people at the peak of their careers are usually older, schooled in an earlier era in which sexuality of any stripe was not a fit subject for discussion, and a revelation of homosexuality could mean public disgrace and imprisonment. The more successful have more to lose, at least financially, if their fears of "coming out" prove true. And the more successful are usually more willing to submerge "personal considerations" for the good of their companies and their careers.

I recall an earlier conversation, this one with another stockbroker, another evening at Trinity Place. He said, "Coming out is power. If every gay person in America came out, in business, among the politicians and the judiciary, in the churches and the schools, on the police forces, in the military, if every last one, tomorrow, simply told his or her friends, family and co-workers, 'I'm

gay'—just that—there would be no 'homosexuality problem' in America." ●

COMMISSION ON MORE EFFECTIVE GOVERNMENT

HON. RICHARD BOLLING

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. BOLLING. Mr. Speaker, earlier this year I introduced H.R. 6380, to establish a Commission on More Effective Government. Many of my colleagues have indicated their support for this proposal, and 127 Members in the House of Representatives, Democrats and Republicans, have cosponsored the bill. In addition, the senior Senator from Missouri, my friend TOM EAGLETON, has introduced S. 2993, a companion measure in the Senate with five bipartisan cosponsors. Also, many other leaders of our society both in and out of politics have indicated their support of this approach.

John W. Gardner, former Secretary of the Department of Health, Education, and Welfare and founding chairman of Common Cause, at the Common Cause 10th anniversary panel on September 5, 1980, outlined with great precision and clarity the underlying and, at the same time, the overall concept that motivates my introduction of this piece of legislation. His statement follows:

RESPONSIBILITY NETWORKS

In my own brief contribution to this discussion, I'm going to suggest a new way of thinking about leadership in this country.

Many Americans seem to believe the subject begins and ends with the question of whether we have a great leader in the White House; but historically the nation has moved in response to many leaders functioning at many levels and in all segments of the society. No complex modern society can any longer depend solely on great leadership at the top. As systems increase in size and complexity, thought must be given to dispersing leadership and management functions throughout the system.

When we refer to our "system" we obscure the fact that the nation is made up of innumerable subsystems that sometimes mesh but often clash. The difficult task of making fluid, interacting systems function effectively cannot be ordained in Washington. A great many leaders in various segments of the society must take responsible action designed to improve social functioning at their level, reweaving connections between warring subsystems, and proposing re-design of malfunctioning processes.

I am not suggesting the sudden emergence of tens of thousands of leaders out of nowhere. They already exist—in the States and cities, in the occupations and professions, in profit and nonprofit enterprise, in the arts and sciences, in the minority communities. I am suggesting that they broaden their conception of their responsibilities.

This takes us a long way from our preoccupation with the Great Leader—the Churchill, Roosevelt, DeGaulle. But I would suggest that Jean Monnet, the father of the European Common Market, is a far truer model of future leadership than is Charles DeGaulle. Where there were conflicting purposes he saw the possibility of shared

goals. And he knew how to move his contemporaries away from the first and toward the second.

It is not enough for leaders to work for the triumph of their own particular segment of society. Each segment must find a way of flourishing that is compatible with, even contributes to, the flourishing of other segments of the society. We need leaders who will knit together an unraveling social fabric, moving diverse groups toward a workable consensus.

This places an added burden of responsibility on individual leaders throughout the society. But responsibility liberates and energizes. When our forbears coming to these shores freed themselves of the tyrannies of social class and political hierarchy they had to shoulder the responsibilities of free citizens, but the net effect was to release human energy on a scale the world has seldom seen.

Similarly, it will release great energies if we move away from the situation of a whole nation yearning for leadership from the White House and toward a situation in which many, many able and responsible leaders are functioning in all segments of American life.

Representative Richard Bolling of Missouri, chairman of the House Rules Committee, says the most important legislation passed during his long career in Congress was enacted as a result of collaboration between Congressional leaders and nongovernmental leadership elements. At a time when many Americans doubt that either the President or Congress can really lead or govern, Bolling is saying, in effect, that they can govern if they can join forces with strong and statesmanlike elements outside of government. He's saying that if we play our role responsibly, government can play its role effectively.

But that leaves us with the question as to whether we are up to the role Representative Bolling asks us to play.

Whether private groups have the vigor and steadiness of purpose to influence government is not at issue. They do have such vigor and they influence government all the time. The question at issue is whether private groups can work together to accomplish any significant national purpose. They show little sign of any such capacity today.

The root of the problem is that the organized interest group today feels literally no responsibility beyond maximizing advantage to its own constituency. This doesn't mean the leaders are bad people; they are generally good people. But our fragmented society does not require that they exhibit responsibility to the larger good. No one really expects it of them.

But we must begin to expect it of them. We must move forward to new patterns of shared responsibility.

We must develop networks of leaders who accept some measure of responsibility for the society's shared concerns. Call them networks of responsibility. We can define a "responsibility network" as a group composed of disparate (or conflicting) interests who undertake to act together in behalf of the shared concerns of the community or nation. Such networks will not flourish in the contemporary climate if they resemble the old Establishments in being exclusionary. Access and openness to participation must be their hallmark.

Some examples:

For a dozen years now, the National Urban Coalition and local coalition around the country have been bringing together business, labor, political and minority leaders to collaborate on problems of urban decay.

In the current effort to modernize the steel industry, labor, business and government leaders have been conferring—with considerable success—under the sponsorship of the Departments of Commerce and Labor.

When New York City was facing its severest tests—in the mid-70s, union leaders, bankers, real estate people, city officials and many others joined hands to rescue the city.

I like to think of Common Cause as a responsibility network that brings together a great variety of Americans in a shared effort to hold government accountable.

The examples could be multiplied. More is going on than we realize.

Of course, a considerable portion of responsibility for accomplishing our shared purposes will always fall to government, so we must ensure that our representative institutions are functioning effectively. It is unfortunate that just while today's innumerable organized interests have been reaching unprecedented heights of relentlessness in pressing their conflicting purposes, there has occurred a marked drop in effectiveness of all the natural brokering and mediating mechanisms of government—chiefly Congress, the political parties and the Presidency. There are ways to repair our representative institutions and we must address ourselves to that task.

But the other great task at the moment is to develop the capacity of the private sector to function responsibly for the common good.

We do not need to forsake the tradition that all kinds of individuals and groups pursue purposes of their own choosing. But we must ask that every individual and every group, however vigorously they may pursue their special purposes, seek to reconcile those special purposes with the larger needs of the society.

It's not unthinkable. In time of war, the special interests find it quite possible to accommodate their own concerns to the national interest. There has been a steadily growing recognition that we are inflicting damage on ourselves with our adversary habits, our litigiousness and our endlessly combative individualism. We're uncomfortably aware, for example, of the extraordinary benefits that have accrued to the Japanese through internal cooperation.

There is an interest in methods of dispute resolution and coalition building that one could not have imagined a decade ago. For example, mediation among environmental and business groups has enjoyed successes that few would have foreseen as little as four years ago.

But the existing responsibility networks are frail and fragmentary. I hope that we shall see a major surge in the building of such networks. Some will be local, some national. Some will focus on economic issues, some on urban development, some on education. Some will turn out to have great influence, others little.

Am I suggesting that out of all these diverse responsibility networks will come a Magical Solution to our problems? Not at all. A great many small and partial solutions will come. Some of them will add up to fairly big solutions. But there will be a very substantial net gain in the habit of responsibility, and almost surely a marked improvement in the coherence of a society that is dangerously fragmented today.

And—to return to Congressman Bolling—there will emerge statesmanlike coalitions with which elected officials can work. It's an important point because one could easily imagine that I'm suggesting we turn our backs on top leadership—and that is far from my intention. All I am suggesting is that our dispersed leadership must play a

key role, particularly in re-weaving the strands of an unraveling social fabric. If they play that role effectively, then top political leaders can play their role more effectively. The Mayor will find that in addition to all the multiple special interests pressing in on him, there is a "constituency for the whole." So will Governors, Senators, Representatives and the President. I suspect that no other imaginable event would so quickly restore the attractiveness of public life.

Admittedly, it won't be easy to bring to effective reality the idea of responsibility networks. But at this juncture, we have to try—and that's what America is about. As a nation we've had our share of the good fortune that comes without effort. But anyone who knows our history—the austere colonial days, the trek West, the hardships of the 19th century immigrants and the never-ending struggle to make ourselves worthy of the great words in our founding documents—anyone who understands all that knows that unearned good luck isn't what America is about. America is about trying. ●

CONGRESSMAN TONY P. HALL INTRODUCES RESOLUTION TO DISAPPROVE ARMS SALE TO SOUTH KOREA

HON. TONY P. HALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. HALL of Ohio. Mr. Speaker, this afternoon I am introducing a resolution to disapprove the proposed sale of \$88 million worth of aircraft spare parts and supplies to South Korea. This is Transmittal No. 80-96, which was received by the House Foreign Affairs Committee on September 8, 1980.

This resolution is intended to be a signal both to the administration and to the South Korean Government that Congress is concerned about the deteriorating situation in South Korea. In view of the military coup in South Korea, the death sentence given to opposition leader Kim Dae Jung, and the suspension of civil and political liberties in South Korea, the decision to proceed with this parts sale on a business as usual basis is ill-advised and poorly timed.

It should be emphasized that the resolution of disapproval of this sale is not intended to signal any lessening of U.S. commitment to the defense of South Korea from external aggression. Rather, it is an expression that the sale simply is inappropriate at this time.

We fought a war in which thousands of Americans were killed in order to prevent South Korea from falling under totalitarian rule. Now the South Korean people have come under a military dictatorship—a dictatorship that appears to be insensitive to the expressions of concern of the outside world.

The Chicago Tribune made an important observation in its editorial of September 20:

In any event, to continue the policy of quietly urging restraint on President Chun

can do no good so long as he refuses to listen. But it could do a great deal of harm if, through timidity and inaction, the United States were to become identified in the minds of South Koreans as a partner in oppression with the military dictatorship.

Evidently, the Chun government has not been impressed with the mild reaction of the administration both to its suspension of the democratic processes in South Korea and the sentencing of Kim Dae Jung. Must we wait until Kim is about to be executed to express our strongest disapproval of these circumstances?

The resolution I am introducing is a means of indicating our grave concern about what is happening in South Korea. There is nothing objectionable about the spare parts sale itself. What is objectionable is that the administration thinks nothing of proceeding with such a major sale despite the actions of the Chun government. This \$88 million sale has assumed symbolic importance well beyond the meaning of meeting ongoing commercial arms dealings with the South Korean Government. It symbolizes an almost irrational tolerance for repression.

State Department, as is its custom, has chosen to focus on the security implications of failing to go ahead with this sale. Nevertheless, a convincing case has yet to be made that U.S. strategic interests will be irreparably harmed if this arms sales request were postponed until the current developments in South Korea have been clarified.

An additional point must be made about the security issue. There is a link between the internal stability of South Korea and South Korea's ability to defend itself against outside aggression. This fact was eloquently expressed by Andrew Young in his article which appeared in the Washington Post on September 29.

Without moderate democratic leadership, the continuing economic recovery and growth of South Korea are in danger, strengthening extreme solutions of revolutionary groups bent on violence or underground guerrilla activity. Needless to say, this would invite the participation and infiltration of the North Koreans.

Strategic security interests and human rights converge in the case of Kim Dae Jung. To avoid further polarizing and traumatizing South Korean society, the military government should drop the false charges against Kim and his codefendants, release all political prisoners and set a timetable for full and free democratic elections.

It had been the hope of several concerned Members of Congress that the sale would be quietly withdrawn as a diplomatic and face-saving means of conveying our concern about the repressive developments in South Korea. Since this course has not been followed by the administration, the time has come for a more forceful reaction.

Sometimes, in dealing with issues like this arms sale, we tend to lose sight of our overall policy objectives—and, indeed, our principles about human rights and freedom. In closing, I would like to quote the last para-

graph of a recent Christian Science Monitor editorial on the sentencing of Kim Dae Jung. I think it helps to put our relations with South Korea in perspective:

There are forces of freedom in South Korea that need nourishing and the encouragement of the West. Not because we think political democracy is possible tomorrow or that all Koreans today want it. But because this is the inevitable yearning of the human spirit and ultimate road of mankind's forward progress. It is incumbent on the United States to keep that flame of freedom alive.

I am pleased that the following Members of Congress are joining with me today in introducing this resolution: **BERKLEY BEDELL**; **ANTHONY C. BEILENSON**; **WILLIAM M. BRODHEAD**; **BOB CARR**; **JOHN CONYERS, Jr.**; **BOB EDGAR**; **DON EDWARDS**; **TOM HARKIN**; **JIM LEACH**; **ANDREW MAGUIRE**; **EDWARD J. MARKLEY**; **NORMAN Y. MINETA**; **RICHARD NOLAN**; **JAMES L. OBERSTAR**; **JOHN F. SEIBERLING**; **GERRY E. STUDDS**; **HOWARD WOLPE**; and **JONATHAN B. BINGHAM**.●

CHILE EXTRADITION DECISION

HON. TOM HARKIN

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● **Mr. HARKIN.** Mr. Speaker, 1 year ago today, the Chilean Supreme Court issued its final refusal to extradite Gen. Manuel Contreras and his DINA colleagues to stand trial in an American court for the September 21, 1976, car-bombing-assassination deaths of Orlando Letelier and Ronni Moffitt. The court terminated the criminal prosecution against Contreras and the DINA officers and ordered them freed.

One year ago, I and my colleagues, Mr. **MOFFETT**, of Connecticut, and Mr. **MILLER** of California, initiated the circulation of a Dear Colleague letter to this House which stated the seriousness of the Chilean Supreme Court decision:

By refusing to extradite or punish these international terrorists and by harboring them within Chile, the Pinochet government is repudiating international law and mocking American justice and the American people. The bombing murders authorized by the Chilean government and committed on American soil were a terrorist act virtually unprecedented in American history. Thus, our response to the Chilean government will sent an historic precedent. It is essential that our government demonstrate swiftly and firmly that we will not allow international terrorists to perpetrate their murder and violence in this country.

One year ago, also on this date, our State Department spokesman, Mr. **Hodding Carter III**, officially expressed the Department's reaction to the refusal of the Chilean Government to extradite Contreras and the other indicted coconspirators in these words, as reported by the New York Times:

The deplorable results of the Court's decision is that the three terrorists have been released from custody and are free on the streets of Chile. We are deeply disappointed and gravely concerned by yesterday's decision . . . (The evidence) . . . clearly warranted the extradition of these men. The United States government continues to believe that the government of Chile has a duty to ensure that this brutal act of terrorism does not go unpunished.

Agreeing that the Government of Chile "has a duty to insure that this brutal act of terrorism does not go unpunished," Mr. **MOFFETT**, Mr. **MILLER** and I circulated our resolution for additional sponsorships. Today, House Resolution 449 has 75 House sponsors. It is entitled: "A Resolution expressing the sense of the House of Representatives with respect to the failure of the Government of Chile to extradite Manuel Contreras, Armando Fernandez, and Pedro Espinoza—and to urge the President to take certain actions with respect to Chile."

The sanctions which we asked President Carter to impose on the Pinochet government were as follows:

- (1) To recall the U.S. Ambassador to Chile;
- (2) To apply statutes limiting assistance to countries harboring international terrorists;
- (3) To prohibit the deliveries of defense articles or services;
- (4) To recall all military personnel;
- (5) To prohibit the issuance of U.S. visas to Chilean military or intelligence personnel;
- (6) To prohibit credits or loan guarantees to be granted by the Export-Import Bank;
- (7) To prohibit the granting of export licenses;
- (8) To order the immediate suspension of private bank loans;
- (9) To demand that Chilean rights be fully restored.

After a delay of 2 months, on November 30, 1979, the State Department announced a package of retaliatory gestures approved by the President and Secretary Vance. Charles Krause, in a January 2, 1980, Washington Post dispatch, described the impact of the administration's response to the Chilean Government's failure to extradite its terrorists:

Observers here agree that those measures amounted to little more than a wrist-slap. Moreover, in most instances they . . . have served only to formalize existing policy. Not one embassy official has left and those under consideration for recall include map-makers from the U.S. Geodesic survey and AID officials who no longer have a program in Chile anyway.

Chile now purchases military equipment from France and Israel, among others and is looking with some success for ways to replace the items which need U.S.-supplied parts. U.S. Export-Import Bank and Overseas Private Investment Corporation loan guarantees and financing here . . . have been completely dormant for at least three years. Many import contracts will not go to Japanese and European firms.

The net effect within Chile, according to interviews with informed observers, has been to strengthen Pinochet who now looks as if he stood up to the United States, dared the administration to punish him and then watched it beat a hasty retreat when the court's decision was completely unfavorable."

Recently, the administration has sent a signal of U.S. displeasure to Chile by excluding Chile from this year's North and South American naval exercises in the Atlantic and Pacific, **Unitas XXI**. According to the New York Times of July 10, 1980, our Ambassador to Chile, **George Landau**, publicly confirmed that the cancellation was in protest over what he said was an ineffectual investigation of the Letelier case by Chilean authorities. The Times quotes General Pinochet's response to a press query regarding our Ambassador's remarks as: "Investigations can take years."

Mr. Speaker, the American people and Government have waited too many years already for justice in this case. We have waited 4 years since the assassination of Orlando Letelier and Ronni Moffitt. We have waited 2 years since the U.S. grand jury indicted Contreras and his secret police coconspirators. We waited a year for the Supreme Court of Chile to issue its rubberstamp refusal to extradite Pinochet. We have waited an additional year since the United States began its review of our relations with Chile in the wake of the Supreme Court decision 1 year ago today.

Therefore, on this anniversary of the denial of justice in the Letelier-Moffitt assassinations, we reiterate our call to President Carter for stronger sanctions against the Government of Chile. We reiterate our call for him to exercise his powers—as he has done in the case of the Iranian hostages—under the International Emergency Economic Powers Act to terminate U.S. private bank loans to Chile. We reiterate our call to permanently recall our Ambassador to Chile until justice is done in this case.

I would like to have inserted into the RECORD at this point the editorial of the New York Times of September 30, 1980, entitled "Justice and the Letelier Bombings," as well as House Resolution 449:

JUSTICE AND THE LETELIER BOMBERS

Full justice still seems distant in the Orlando Letelier case, even though four years have passed since the exiled Chilean diplomat was murdered on Washington's Embassy Row by agents of Chile's secret police. Resourceful prosecutors did manage to solve the crime, prosecute and convict some of its perpetrators, and bring charges against its alleged masterminds in Chile. The families of Mr. Letelier and Ronni Moffitt, an American colleague who was also killed, won the right to sue the Chilean Government for civil damages. But Chile has refused either to investigate or extradite the three high police officials implicated in the terrorism.

And now the convictions of exiled Cubans for plotting and concealing the crime have been overturned by the United States Court of Appeals in Washington. The setback may be only temporary, however, and the benefits more lasting. The Justice Department, which is considering appealing the case, is committed in any event to retrying it. The Court of Appeals' language will bring no comfort to Chile's leaders; it found ample evidence of guilt. Indeed, the only significant flaw in the case—one that would not give pause to the courts of totalitarian coun-

tries—was some misuse of evidence. The court held that testimony of jailhouse informants was used against the defendants, in violation of their constitutional rights. Abundant admissible evidence remains for retrial.

Two of the defendants, Alvin Ross Diaz and Guillermo Novo Sampol, are beneficiaries of Federal principles they may not appreciate. The Court of Appeals held that while jailed in Manhattan before trial, their rights were infringed by other inmates acting as Government informants. One informant was under pressure from a sentencing judge to produce incriminating evidence against fellow inmates.

The Supreme Court has been throwing out this kind of sleazily obtained evidence since 1964, most recently last June in an opinion by Chief Justice Burger. The new decision is in line with those precedents and in the best tradition of the Federal judiciary: defendants may be repugnant, but that does not justify convicting them by unworthy means.

No tenderness for terrorists inspires the principle here. The national attitude toward terrorists, especially those brazen enough to detonate a murderous bomb on the streets of Washington, is best expressed by the determination of the Justice Department to pursue the criminal prosecution further.

H. Res. 449

A resolution expressing the sense of the House of Representatives with respect to the failure of the Government of Chile to extradite Manuel Contreras, Armando Fernandez, and Pedro Espinoza to the United States, and to urge the President to take certain actions with respect to Chile.

Whereas the Congress has repeatedly expressed its condemnation of international terrorism; and

Whereas the President on several occasions has committed the United States to the strongest possible measures against governments which have condoned acts of international terrorism or which harbor individuals who have committed acts of international terrorism; and

Whereas on August 1, 1978, a Federal grand jury indicted General Manuel Contreras, Captain Armando Fernandez, and Colonel Pedro Espinoza, all of whom were members of the Chilean intelligence service, for conspiracy in the 1976 murders of Orlando Letelier and Ronni Karpen Moffitt, and on September 18, 1978, the United States Government filed requests with the Government of Chile for the extradition of those so indicted; and

Whereas this act of terrorism on the streets of Washington, District of Columbia, against an American citizen and a United States resident with diplomatic status was a result of action by the Government of Chile; and

Whereas Amnesty International, the International Commission of Jurists, the United Nations Human Rights Commission Ad Hoc Working Group on Chile, and the United Nations General Assembly have stated that the regime of Augusto Pinochet has violated basic human rights and political freedoms in Chile since the military coup of 1973 in that country; and

Whereas the Pinochet regime, in refusing to extradite Manuel Contreras, Armando Fernandez, and Pedro Espinoza, is harboring and protecting individuals wanted in the United States to stand trial for acts of international terrorism: Now, therefore, be it

Resolved, That the United States House of Representatives—

(1) expresses its great concern at the refusal of the Government of Chile to extra-

dite Manuel Contreras, Armando Fernandez, and Pedro Espinoza to the United States; and

(2) calls upon the President to take the following actions immediately:

(A) to recall the United States Ambassador to Chile;

(B) to order the application to Chile of all relevant statutes limiting bilateral and multilateral assistance to countries with terrorist governments or countries harboring terrorists;

(C) to prohibit deliveries of defense articles or defense services to Chile pursuant to sales made before the date of enactment of the International Security Assistance and Arms Export Control Act of 1976;

(D) to recall all advisory and other military personnel from Chile;

(E) to prohibit the issuance of United States visas to Chilean military or intelligence personnel or anyone acting under the auspices of Chilean military or intelligence services;

(F) to prohibit any credits or loan guarantees to be granted by the Export-Import Bank with respect to Chile and to prohibit any export licenses required under the Export Administration Act of 1979 to be granted with respect to Chile;

(G) under the authority contained in the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), to order the immediate suspension of private bank loans to Chile; and

(H) to demand that the Pinochet regime in Chile restore fully to the people of Chile the rights they had traditionally enjoyed before the military coup of 1973, including the right of the more than fifty thousand Chilean exiles to return to their country and the right of the families of more than six hundred and fifty political prisoners who have disappeared to be informed of the whereabouts of those political prisoners.●

JACOB AND SARAH BECKER

HON. GEORGE M. O'BRIEN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. O'BRIEN. Mr. Speaker, I would like to take this opportunity to honor Jacob and Sarah Becker on the occasion of their 60th wedding anniversary on October 11. This fine couple is a symbol of the family institution in America. I know my colleagues will join me in wishing them many more years of married bliss.●

THE FUTURE OF HUMAN RIGHTS

HON. BRIAN J. DONNELLY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. DONNELLY. Mr. Speaker, the plight of the renowned physicist and Nobel Peace Prize winner Andrei Sakharov has worldwide attention. The continuing subjection of this brilliant man to internal exile in Gorky stands in sharp rebuke to the Soviets' participation in the upcoming Madrid Conference on Implementation of the Helsinki Final Act.

On September 16, the Boston Globe published an editorial written by Sakharov, and smuggled out of the Soviet Union in which this brave man details his reflections on the conference. Sakharov also writes movingly about the imposed distance between his stepson Aleksei, and his fiancée, Elizaveta Alexeyeva. Aleksei attends Brandeis University in Massachusetts. Elizaveta has been unable to emigrate to the United States and rejoin Aleksei due to the increasingly difficult prospects for emigration from the Soviet Union. I insert this important article for my colleagues' information:

[From the Boston Globe, Sept. 16, 1980]

THE FUTURE OF HUMAN RIGHTS

(By Andrei Sakharov)

The historic significance of the Helsinki Accords, the subject of a conference opening today in Madrid, lies in its affirmation of a crucial principle: International security and confidence are linked to respect for human rights.

The most complete statement of this idea is contained in the Final Act of the Accords, which commits the participating states to fulfill all the provisions of the International Covenants on Human Rights and of the Universal Declaration of Human Rights.

These provisions include guarantees for freedom of opinion and information, freedom to choose one's country of residence (and not just within the context of family reunification), freedom to choose one's domicile within each country, freedom of religion and freedom of association.

The Helsinki Accords also acknowledged the right of the participating states to monitor each other's compliance; such monitoring is regarded not as intervention in internal affairs but rather as a contribution to international security and confidence.

The Final Act marked a new stage in the formulation of an international ideology of human rights. Unfortunately, its principles have not been put into practice in a satisfactory fashion. I suppose that human-rights violations have occurred in many countries, including Western countries, but I shall speak about what I know best—the situation in the Soviet Union and in Eastern Europe.

The observance of fundamental civil and political rights in these countries has not simply failed to improve over the past five years; the situation has grown worse. Repression against groups organized to promote observance of the Final Act constitute the most brazen and challenging example of violations that demand from the participating states an unequivocal, uncompromising response—effective actions not limited to verbal protests.

More than 40 members of the Helsinki watch groups are imprisoned. Many others also have been arrested: individuals who, although not formally members of the Watch groups, worked to promote the exchange of information and the defense of human rights as contributors to "samizdat" news magazines or journals of opinion, as participants in the movement for freedom of religion and freedom of emigration, or in other ways. The governments, nongovernmental organizations and concerned citizens of the participating states are under an obligation to defend all such victims of repression.

Peace in the world is indivisible. The consequences of any deviation from this principle only confirm its truth. Therefore, I cannot agree with those who consider the Soviet invasion of Afghanistan an event unrelated to security in Europe. I also cannot agree with those who suggest a boycott of

the Madrid conference as a response to Soviet actions in Afghanistan or to the increased repression of dissenters.

I believe that the participating states should use the opportunity offered by the Madrid conference to further a political settlement in Afghanistan, which must provide for the withdrawal of Soviet troops and international guarantees of peace, neutrality and free elections. The participating states should also promote the release of prisoners of conscience in the Soviet Union and Eastern Europe, and in western countries as well if people are imprisoned who have not used or advocated violence.

The critical international situation requires that the participating western states coordinate their tactics and pursue their goal with more determination and consistency than at Belgrade. The Helsinki Accords, like detente as a whole, have meaning only if they are observed fully and by all parties. No country should evade a discussion of its own domestic problems, whether they be the problems of Northern Ireland, the Crimean Tatars or Sakharov's exile (here I am speaking objectively). Nor should a country ignore violations in other participating states. The whole point of the Helsinki Accords is mutual monitoring, not mutual evasion of difficult problems.

I wish also to mention a personal matter. My illegal exile to Gorky last January attracted worldwide attention. I appeal to all who expressed concern at that time: Help our son's fiancée, Elizaveta Alexeyeva, receive permission to leave the Soviet Union. I appeal in particular to both government and private people who may meet with Soviet leaders. Liza's fate, the lengthy separation of two people who love one another, has become a means of pressure on me. This is a strictly personal matter, with no connection whatsoever to interests of state. I do not know what the authorities have in mind for the future, but the affair is already tragic. I am hoping for assistance in this very concrete problem that is so important to me.●

ILLINOIS GOVERNOR VETOES RESTRICTIVE LEGISLATION ON NUCLEAR WASTE

HON. BUTLER DERRICK

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. DERRICK. Mr. Speaker, Gov. James R. Thompson of Illinois is to be commended for vetoing State legislation that would have barred the interstate storage or transportation of spent nuclear fuel into Illinois. On September 18, he vetoed house bill 3614, specifically amendment No. 1, "••• on the ground that it represents extremely bad public policy and that it violates numerous provisions of the U.S. Constitution." Later in his veto message, he states, "In Washington, Nevada, and South Carolina, low-level nuclear waste is currently being buried. Illinois low-level waste goes to these sites with regularity."

As a Representative in Congress representing one of the States into which Illinois is shipping nuclear waste, I can appreciate the Governor's concern about disposing of nuclear waste from out of State. But Governor Thompson realizes that Illinois "••• contributes to a national problem •••" and that

Illinois "••• should be willing to shoulder a fair share of the burden attendant to a national solution."

I commend Governor Thompson for his action, and I urge other State and local governments to take the same reasonable approach on the issue of nuclear waste and spent fuel disposal. Mr. Speaker, for the benefit of our colleagues, I would like to insert the text of Governor Thompson's veto message into the RECORD.

To: The Honorable Members of the House of Representatives, 81st General Assembly.

Pursuant to Article IV, Section 9(e) of the Illinois Constitution of 1970, I hereby return House Bill 3614 entitled "An Act creating a Department of Nuclear Safety and amending certain Acts herein named," with my specific recommendation for change.

I.

House Bill 3614 is the conforming legislation to my Executive Order Number 3 which created the Illinois Department of Nuclear Safety, the first cabinet level state nuclear regulatory agency in the United States. The combined efforts of my office and the General Assembly were responsive to a need for a consolidated approach to the state's public safety responsibilities in the nuclear area. The Executive Order and conforming legislation centralizes regulatory functions, insuring greater accountability to the State and the safer operation and handling of radiological facilities and materials. This legislation represents an enormous step forward for Illinois nuclear safety.

The principal goals of the Department of Nuclear Safety were to study safety questions and to ensure that the citizens of this State would be safe from nuclear power. This Department will have the expertise and the power to regulate transportation, to monitor the environment, to prepare and exercise emergency response plans and to manage our waste. In addition the General Assembly has chosen through this legislation to require that the Department of Nuclear Safety study the question of need and compare the cost and benefits of nuclear power to other available energy sources in conjunction with the Institute of Natural Resources. It is my sincere hope that the Department of Nuclear Safety will serve as a forum for the debate of the critical issues of safety and need. It will be open to all sides of the controversy and will supply a much needed expertise to explain to the general public the nature of the technical considerations of the debate. In addition, the Department will participate with the federal government both on the regulatory and legislative levels to ensure state input into the questions which so significantly affect us.

This legislation represents part of an intensive effort by my administration to ensure this goal of nuclear safety for the citizens of Illinois. Since the ominous occurrence at Three Mile Island, Pennsylvania on March 28, 1979, substantial progress has been made. Since that time, the Illinois Plan for Radiological Accidents, a comprehensive four volume nuclear emergency plan, has been prepared. In addition, the state has laid the groundwork for a nationally acclaimed remote environmental monitoring program of nuclear power plants. I have significantly enhanced, both in manpower and equipment, the state's ability to monitor the radiological materials which travel on the state's highways. I have participated on the national level with the National Governor's Association, the National Council of State Legislatures and the State

Planning Council on Radioactive Waste Management to ensure that this country has a fair and safe method for managing its waste. I have contributed to the federal rulemaking process to ensure that Illinois citizens are not subject to unfair or inadequate federal regulation in this area.

The Department of Nuclear Safety, with its unique expertise and with the guidance of my administration, will continue these efforts. This state, which is more dependent on nuclear power than any other state in the nation, must be first in nuclear safety as well.

II.

The legislature chose to amend this legislation to bar the interstate storage or transportation of spent nuclear fuel in this state. I veto this portion of the legislation on the ground that it represents extremely bad public policy and that it violates numerous provisions of the United States Constitution.

III.

The issue regarding the storage of spent nuclear fuel is intimately connected with the nuclear power debate. That often discordant national discourse stands to affect the very nature of American life. The State of Illinois is the number one nuclear state in the nation. Presently, seven nuclear reactors are functioning in Illinois, with eight more under construction and two planned. The City of Chicago depends for as much as 50 percent of its total electricity on nuclear reactors. In addition to the spent nuclear fuel facility at Morris, the state houses a uranium hexafluoride conversion facility at Metropolis and a low level radioactive waste facility at Sheffield.

IV.

The nuclear controversy involves two issues: the question of safety and the question of need. The storage and transportation of spent nuclear fuel rods is a facet of the overall debate. Concluding with all major institutions that have studied the question that in the near term nuclear power is a necessity, I have refused to adopt an antinuclear stance. Nuclear power inevitably produces nuclear waste. How that waste is managed is a matter which vitally affects all the citizens of this country. Since the waste problem is a national one, not limited by State borders, I believe that a national solution to the problem must be formulated. The States, individually and as a group, have a significant role to play in this process.

The nuclear debate also touches sensitive questions of federal/State cooperation and cooperative federalism. The federal government is charged principally with responsibility for the management of spent nuclear fuel. Under the Atomic Energy Act of 1954, the federal government, however, must not solve any of the nuclear questions in the absence of significant input from the States. A number of bodies have attempted to supply this input. I applaud their efforts. I sincerely hope that they will continue to go forward in participating in these critical matters.

V.

I believe that the federal government will not be able to meet its responsibilities in the absence of sincere participation from the States. Regarding the question of away-from-reactor (AFR) facilities, I believe a number of fundamental points must be communicated to the federal government. The State of Illinois will not be the sole situs for an interim spent nuclear fuel repository for this nation. I would propose that any AFR could only be required to take spent fuel from a given region. At a minimum there

should be four AFR regions in the United States. Prior to the acquisition of such facilities by the federal government, State concurrence should be obtained. In addition to being limited to geographic scope, the number of metric tons uranium capacity should be set forth for each AFR and additional spent fuel storage would be impossible in the absence of congressional approval.

I believe that there is a substantial question regarding the need for the interim storage of spent fuel. Accordingly I believe it should be the burden of the utilities to demonstrate that they have exhausted all alternatives to away-from-reactor storage. Such alternatives would include transshipment, reracking and on-site pool expansion. In the absence of such demonstration, storage at any away-from-reactor facility should not be permitted. In addition to this I believe that the Nuclear Regulatory Commission (NRC) must be required to license all away-from-reactor facilities. Since the NRC has no explicit licensing authority, the Atomic Energy Act of 1954 should be amended to contain these provisions. Transfer of any license by the NRC should be absolutely barred.

Under no circumstances should the National Environmental Policy Act be suspended for the purposes of commissioning any AFR. An Environmental Impact Statement under that act should be required for the purpose or use of a Department of Energy owned facility. Prior to the licensing of such a facility a complete plan for decommissioning and long term care must be set forth. Prior to any licensing or commissioning of an AFR, an emergency plan must be prepared. Under no circumstances should any reprocessing at an AFR be done in the absence of specific congressional authorization.

VI.

In its six years of existence, the Morris facility, which would be directly affected by this amendment, has had an adequate safety record. It produces no thermal pollution and emits a minuscule amount of radiation yearly. One of the principal charges of the new Department will be to reassess the environmental impact of the facility. Preliminary assessment, however, indicates that a possible loss of coolant accident is extremely remote and the facility is highly secure from natural and manmade disasters.

VII.

A much argued point regarding the Morris facility relates to the issue of the national dumping ground. I would stridently object to the State of Illinois becoming a national dumping ground for the nation. However, I believe that it is highly inaccurate to suggest that Morris, Illinois is a national dumping ground. The vast majority of national spent fuel is stored on site. Only an extremely small percentage of spent fuel is sent to Morris.

Moreover, the states in my opinion are under an obligation to share the burden of nuclear power if they are to enjoy its benefits. I would suggest that many other states now share part of the national burden. Preparing fuel for this nation's power plants produces wastes from the mining and milling of ore, uranium enrichment and fuel element manufacture. In the west, uranium mill tailings present a substantial problem. In Washington, Nevada and South Carolina, low level nuclear waste is currently being buried. Illinois low level waste goes to these sites with regularity. This state contributes to a national problem. I have repeatedly stated that it should be willing to shoulder a fair share of the burden attendant to a national solution.

VIII.

The language of the amendment bars the current storage of spent nuclear fuel. I would object most vehemently to the removal of spent fuel currently housed at the Morris facility. I believe that this issue was not considered by either house when the bill was discussed. Inasmuch as there is currently no place to store these fuel rods, this is a substantial defect in the bill. Removal of such materials may present other health hazards.

IX.

The bill is unconstitutional. Under the Atomic Energy Act of 1954, 42 U.S.C. § 2011-2296, the Nuclear Regulatory Commission has complete jurisdiction over the handling of special nuclear and by-product materials, 42 U.S.C. § 2021. This exclusive jurisdiction eliminates the state as a possible regulator of the possession of these materials. Recent court cases have addressed the question of the implied preemption of the states in this area. *Northern Power Co. v. State of Minnesota*, 477 F. 2d 1143, (8th Cir. 1971), aff'd, 405 U.S. 1035 (1972); *United States v. City of New York*, 463 F. Supp. (S.D. N.Y. 1978); *Pacific Legal Foundation v. State Energy Resources & Development Commission*, 472 F. Supp. 191 (S.D. Cal. 1979).

In the most recent case, *Pacific Legal Foundation*, the court held that the Nuclear Regulatory Commission had exclusive power to act in an area that "relates to, touches upon and involves the regulation of radiation hazard pertaining to the construction and operation of nuclear power plants and nuclear waste disposal." 472 F. Supp. at 144. In addition, the court ruled that the legislation involved in that case was void as a consequence of standing "as an obstacle to the accomplishment and execution of the full purposes and objectives of Congress." Id. at 200. These cases stand for the proposition that under the Supremacy Clause of the United States Constitution state action is preempted if it tends to frustrate the development and use of atomic energy in the United States because such development and use is in the exclusive jurisdiction of the federal government. Since the production of nuclear waste is inextricably related to the production of nuclear energy, the state is devoid of authority to prohibit the disposal of nuclear waste since that would be construed as interfering with the use of nuclear energy.

This legislation is also void by virtue of its posing an impermissible burden on interstate commerce which is barred by the Commerce Clause of the United States Constitution. In *City of Philadelphia vs. New Jersey*, 437 U.S. 617 (1978) the Supreme Court struck down a New Jersey statute which barred the importation of hazardous toxic materials. Here, like in *City of Philadelphia*, the goal was to isolate the state from the national economy and to discriminate against goods solely because of their origin. The court stated:

"Today cities in Pennsylvania and New York find it expedient or necessary to send their waste into New Jersey for disposal and New Jersey claims the right to close its borders to such traffic. Tomorrow cities in New Jersey may find it expedient or necessary to send their waste into Pennsylvania or New York for disposal, and those states might then claim the right to close their borders. The Commerce Clause will protect New Jersey in the future just as it protects our neighbors now from efforts by one state to isolate itself from the stream of interstate commerce from a problem shared by all. Id. at 628-629."

Thus, the Supreme Court will apply a per se rule to any such protectionist legislation that discriminates against out-of-state inter-

ests. In my judgment, therefore, the bill represents an impermissible infringement on interstate commerce which I cannot in good faith sign.

X.

I do not amendatorily veto Senate amendment Number 1 on the sole ground that it is unconstitutional. I believe it represents bad public policy. The State of Illinois has been extremely active in recent years in the area of nuclear safety. The State of Illinois has set up the first legislative Department in the nation which is dedicated to the regulation of the use and control of ionizing and nonionizing radiation. It has significantly increased its ability to monitor state highways for radiation hazards. It has instituted a nationally acclaimed remote radiological monitoring system for all the state nuclear reactors. It has participated on the federal level both with federal officials and other state governments in all areas of waste management. Specifically, there has been active participation with the National Governor's Association and the National Council of State Legislatures regarding low level waste management. The state has participated with the other Governor's on the State Planning Council on Radioactive Waste Management which was constituted on February 12, 1980 by President Carter to resolve some of these issues. It has prepared in the last year the Illinois Plan for Radiological Accidents, a comprehensive four volume work for state and local response to accidents at reactors. Through the Department of Nuclear Safety, all of these initiatives will go forward.

XI.

I believe that in weighing the legal and policy questions which it is my constitutional duty to do, that I can not approve the Senate Amendment Number 1.

Accordingly, I make the following specific recommendations for change:

On page 24, delete lines 27 through 32; and

On page 24, delete lines 1 through 31 and insert in lieu thereof as follows:

"ARTICLE II

"Section 1. This Act takes effect upon its becoming a law."

With these changes House Bill 3614 will have my approval.

Sincerely,

JAMES R. THOMPSON,
Governor.●

IN SUPPORT OF H.R. 8146

HON. LYLE WILLIAMS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. WILLIAMS of Ohio. Mr. Speaker, this country is in the middle of its seventh recession since World War II, with the most recent downturn occurring in January. This past spring it became apparent that not only was the national economy in recession, but the fall in economic activity was proceeding at a startling rate. Economic indicators clearly pointed out that payroll employment had dropped; industrial production had fallen and consumer spending had drastically declined.

In 1979, America's steel industry employed 451,000 persons, approximately

0.5 percent of the labor force. Today, it employs 371,627 persons. The industry is a major supplier to the ailing automobile and construction industries and is caught in a recurring downturn which is at least as damaging as that experienced during the 1975 recession. This industry has long-term problems such as aging and obsolete plants, domestic and foreign market erosions, and substitution of steel by aluminum. Thus it suffers from weak demand as well as recession-related declines in demand for automobiles and construction. To make matters worse, the weak demands have been coupled with weak prices.

Although the downturn has affected the steelworkers throughout the Nation, the impact is felt more severely in industrial States like Ohio and Michigan, where unemployment rates have almost doubled the national rate. I represent the 19th Congressional District of Ohio, whose unemployment rate is more than twice the national rate. To cite an example, in July of this year the national percentage was 7.8. During the same period, Mahoning and Trumbull Counties were 14.1 and 16 percent respectively.

A total of approximately 20,000 workers have become involuntarily unemployed in Trumbull and Mahoning Counties as a result of plant closings and personnel layoffs within the past 3 years. The closing of Youngstown Sheet & Tube Co. affected 5,000 workers; United States Steel Corp.—3,500; the J & L, Briar Hill Works—3,500; Packard Electric Co.—3,000; and an anticipated 5,000 employees will be temporarily laid off by General Motors next month. This is a prime example of what is happening throughout the Nation and in the State of Ohio.

In 1975 we, the U.S. Congress, enacted the Emergency Unemployment Compensation Act—we found an answer. Today, I am proud to say that the Federal Supplemental Unemployment Compensation Act will allow us to meet those very same needs in 1980.●

FRANK IVALDI—A SPECIAL
MEMBER OF THE COMMUNITY

HON. FORTNEY H. (PETE) STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. STARK. Mr. Speaker, the city of San Leandro and the friends of Frank Ivaldi will get together to honor his dedication to the community in a special "Salute to Frank Ivaldi" dinner on Friday, October 31, 1980.

The owner and chairman of the board of East Bay Excavating Co., Inc., Frank Ivaldi is also a part owner of the Sunol Valley Golf & Recreation Co. and the Oakland Raiders. For the past 14 years he has been the director

of the Alameda County Fair, always an overwhelming success.

In addition, Frank has somehow found the time to maintain membership in over a dozen civic, fraternal, charitable, and social organizations which include Rotary, Shriners, Masons, Boys Clubs, and Widows and Orphans Police Aid Association, among others.

His motivation, enthusiasm, and dedication are unending. It is only fitting we should join his friends and family in honoring this very special member of our community.●

FEDERAL GRAIN INSPECTION COSTS HAVE SOARED

HON. KEITH G. SEBELIUS

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. SEBELIUS. Mr. Speaker, I have requested the General Accounting Office (GAO) to give me an update on the costs of operating the Federal Grain Inspection Service (FGIS). Based on the GAO report, it appears the difference in costs of fiscal year 1976—the last year under the old system—and fiscal year 1980 will be between 400 percent and 500 percent higher.

GAO also indicates in its report that there are other opportunities for cost-cutting and efficiency in the operation of FGIS.

I insert the GAO report—less enclosures III and IV—in the RECORD for the enlightenment of all Members of Congress:

U.S. GENERAL ACCOUNTING OFFICE,
Washington, D.C., August 13, 1980.

Subject: Cost Effectiveness of the Federal Grain Inspection System Since the Grain Standards Act of 1976 Was Passed.

HON. KEITH G. SEBELIUS,
House of Representatives.

DEAR MR. SEBELIUS: This letter responds to the questions raised in your June 23, 1980, letter to the Comptroller General. Some current statistics were obtained from the Department of Agriculture's Federal Grain Inspection Service (FGIS) but most of the information was obtained from our review and November 1979 report on the Federal export grain inspection and weighing programs ("Federal Export Grain Inspection and Weighing Programs: Improvements Can Make Them More Effective and Less Costly," CED/80-15, Nov. 30, 1979).

Question. What is the total cost of, and the number of Federal employees involved in, Federal grain inspection services as of this date compared with 5 years ago?

Answer. As of July 26, 1980, FGIS had 1,803 full-time and 208 intermittent and part-time employees. This compares with the 826 full-time and 21 intermittent and part-time personnel employed when FGIS was established on November 20, 1976. FGIS expects expenditures for fiscal year 1980 to total \$56,609,000 (\$24,294,000 from appropriated funds and \$32,315,000 from fee-supported revolving trust funds). For fiscal year 1976, program expenditures totaled \$12,726,407 (\$6,193,438 from appropriated funds and \$6,532,969 from revolving trust funds).

Our November 1979 report contained data on FGIS funding and staffing. (See encs. I and II.) The report also concluded that personnel costs (number of staff and/or overtime) could be reduced if FGIS would establish adequate criteria for determining the staffing requirements of individual grain elevators and make increased use of closed-circuit television equipment and automated sample delivery systems. (See enc. III.)

Q. How does the number of complaints made by foreign countries and foreign purchasers of U.S. grain today compare with the number of complaints made in 1970 and 1975?

A. During the period July 1, 1979, through June 30, 1980, FGIS received 55 formal complaints from foreign countries and purchasers of U.S. grain. These included 38 complaints about grain quality, 10 about short weight, and 7 about rice and other commodities covered by the Agricultural Marketing Act.

In our February 12, 1976, report entitled "Assessment of the National Grain Inspection System" (RED-76-71), we reported that the Department of Agriculture had received 41 formal complaints in fiscal year 1970 and 61 in fiscal year 1975 but that these numbers were not indicative of the extent of the problems which existed at that time. The majority of the foreign buyers that we interviewed had said they generally did not report their complaints to the Department because they believed that Agriculture could do nothing to help them resolve disputes with U.S. exporters. In our November 1979 report, we concluded that many foreign buyers receiving problem shipments still were not submitting formal complaints. However, we also reported that most buyers perceived some improvements in the quality and weights of U.S. grain shipments since our 1975-76 review.

Q. What is GAO's appraisal of the cost effectiveness of the new Federal grain inspection system measured in whatever standards or terms you might use to gauge such effectiveness—whether it is more satisfied customers, greater sales, etc.?

A. In our November 1979 report, we concluded that since the Grain Standards Act of 1976 was passed, foreign buyers perceived some improvements in the quality and weights of U.S. grain shipments and that some improvements had been made in U.S. export grain inspection and weighing operations. We also concluded, however, that:

Improved efficiencies in staffing and program operations could reduce inspection and weighing costs.

Some grain standards and inspection procedures are too lenient or not adequate and inspection certificates still do not always fully disclose insect infestation, low-quality grain, and foreign material.

The effectiveness of the new weight supervision program had been limited by a lack of adequate instructions and supervision and a lack of proper training and high turnover of weighing personnel.

Q. What are your recommendations on how Federal grain inspection costs may be reduced? Also, what are your recommendations on how costs may be reduced when embargoes such as those imposed against Russia are implemented?

A. Chapter 4 of our November 1979 report was devoted exclusively to discussing areas in which we believed FGIS could reduce costs without significantly affecting the quality of the services it provides. (See enc. III.) Also, in chapter 3 we discussed the system used to officially weigh grain received at export elevators and recommended changes which would reduce costs but retain an effective weight supervision program. (See enc. IV.) Our specific recommen-

dations on those portions of the report were as follows.

We recommended that the Secretary of Agriculture direct the Administrator, FGIS, to:

Use scientific work measurement techniques to determine staffing and skill levels required to perform essential inspection and weighing tasks and duties at export elevators and staff each elevator at the most efficient and effective level required to get the job done.

Develop equipment performance standards for closed-circuit television systems (that is, items or areas in elevators to be monitored by such equipment and required clarity of picture on the system's monitor) and such other criteria as would be needed to make a commitment on the number of official personnel that would be replaced if an elevator operator installs a closed-circuit television system meeting the specified equipment performance standards.

Exercise greater care in determining equipment requirements before large purchases are made, particularly when new technology is involved.

Revise the inventory monitoring program by discontinuing the maintenance of an independent set of elevator inventory records by FGIS personnel, requiring export elevators to maintain those records and data which FGIS needs, and developing and maintaining a capability within the headquarters staff to check the elevators' records and inventories when a problem is suspected.

We recommended that the Congress amend the Grain Standards Act to provide the FGIS Administrator with the authority to reduce the amount of weight monitoring required on truck and rail shipments arriving at export elevators. We said that this could be accomplished by amending section 5(a)(2) of the United States Grain Standards Act (7 U.S.C. 77(a)(2)) to read as follows: "except as the Administrator may provide in emergency or other circumstances which would not impair the objectives of this act, all other grain transferred out of and all grain transferred other than from a truck or railcar into an export elevator at an export port location shall be officially weighed in accordance with such standards or procedures; where grain is delivered to an export elevator at an export port location by truck or railcar, the Administrator shall provide for supervision of weighing as defined in section 3(y) of this act; and"

We also recommended that, in the event the Congress amends the act as recommended above, the Secretary of Agriculture direct the Administrator, FGIS, to revise the inbound weight monitoring program at export locations to make it more cost effective by (1) reducing the level of weight monitoring to a minimum of 25 percent on truck and rail shipments, particularly where closed-circuit television or other monitoring equipment can be used to observe conveyance unloading and scale operations and (2) possibly substituting observations by truck drivers for those of weight monitoring personnel where such actions are possible.

With regard to the Russian embargo, we have no recommendations for reducing costs associated with Federal inspection and weighing of grain at export locations because there has been no reduction in the volume of grain exported. In fact, between January 1 and June 30, 1980, the volume of U.S. grain officially weighed and inspected at export locations increased by about 18 percent over that in the same period in 1979. During the January-June period, the amount of grain officially weighed increased from 103,545,122 metric tons in 1979 to 122,542,362 metric tons in 1980, and the amount

of grain officially inspected increased from 1,966,293,000 bushels in 1979 to 2,329,881,000 bushels in 1980.

We are currently reviewing the special programs implemented by Agriculture as a result of the Russian embargo; that is, the assumption and disposition of the exporters' Russian sales contracts, the domestic procurement and storage of grain to bolster prices received by U.S. producers, and the monitoring program established to detect any direct shipments or transshipments of U.S. grain to Russia. If the results of this review so indicate, we will recommend changes in these areas.

Regarding Agriculture's statement of actions taken on the recommendations in our December 28, 1979, report entitled "Improvements Needed in Department of Agriculture's Certification that Export Shipments of Grain Conform with Phytosanitary Regulations of Foreign Countries" (CED-80-42), we believe that the actions outlined, if properly implemented and followed, should correct the problems discussed in that report.

If we can be of further assistance to you on these matters, please let us know.

Sincerely yours,

HENRY ESCHWEGE,
Director.

Enclosures.

APPENDIX III.—FEDERAL GRAIN INSPECTION SERVICE FUNDING FOR FISCAL YEARS 1978-80

(In thousands of dollars)

	1978 actual	1979 estimate	1980 estimate
APPROPRIATIONS			
Grain Standards Act:			
Inspection supervision.....	5,476	7,249	7,477
Weighing supervision.....	1,310	2,745	2,824
Program management *.....	9,995	12,538	12,919
Agricultural Marketing Act: Standardiza- tion.....	149	148	152
Subtotal.....	16,930	22,680	23,372
FEE-SUPPORTED ACTIVITIES			
Grain Standards Act:			
Original inspection.....	10,010	13,704	13,704
U.S. appeals.....	1,396	1,217	1,217
Canadian operations.....	358	347	347
Original weighing.....	7,807	11,614	11,614
Registration.....	8	22	22
Agricultural Marketing Act:			
Grading.....	4,849	5,955	5,955
Standardization.....	36		
Compliance.....	2		
Subtotal.....	24,466	32,859	32,859
Total.....	41,396	55,539	56,231

* Program management includes headquarters administration.

APPENDIX IV.—FEDERAL GRAIN INSPECTION SERVICE STAFF YEARS FOR FISCAL YEARS 1978-80

	1978 actual	1979 estimate	1980 estimate
APPROPRIATIONS			
Grain Standards Act:			
Inspection.....	217	280	319
Weighing supervision.....	55	90	101
Program management *.....	189	256	256
Agricultural Marketing Act: Standardiza- tion.....	3	3	3
Subtotal.....	464	629	679
FEE-SUPPORTED ACTIVITIES			
Grain Standards Act:			
Original inspection.....	515	576	576
U.S. appeals.....	63	62	62
Canadian operations.....	10	10	10
Original weighing.....	509	514	514
Agricultural Marketing Act: Grading.....	180	184	184
Subtotal.....	1,277	1,346	1,346
Total.....	1,741	1,975	2,025

* Program management includes headquarters administration. ●

THE BILINGUAL INSTRUCTION: JUDGE HUFSTEDLER VERSUS SECRETARY HUFSTEDLER

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. ASHBROOK. Mr. Speaker, the bilingual education regulations proposed by the Carter administration 2 months ago mark a milestone in the history of the Federal education bureaucracy's attempts to impose its will on local school districts.

Given the present structure of Federal aid which is divided into dozens of narrow categorical programs and allocated, for the most part, by discretionary grants, a large degree of Federal control is inevitable. That is why I have proposed H.R. 7882, which would replace a huge segment of this structure with a system of block grants to let State and local educators set their own priorities.

But the August 5 proposed bilingual regulations would extend Federal controls even beyond the status quo. Unlike other controls, they are not a natural outcome of the present structure but a unilateral power grab for which there exists not the faintest statutory or judicial warrant.

Under these regulations, the Education Department would force local school districts to conduct classes for limited-English children in the native languages. As a matter of national policy, this type of separatist bilingual instruction, rather than intensive training in English, would be the preferred method for teaching linguistic minorities. Education Secretary Shirley Hufstедler claims that this approach is mandated by a 1974 Supreme Court decision, *Lau v. Nichols*.

With all due respect to Secretary Hufstедler, her claim is patently absurd. I quote from the Supreme Court's 1974 opinion:

No specific remedy is urged upon us. Teaching English to the students of Chinese ancestry who do not speak the language is one choice. Giving instruction to this group in Chinese is another. There may be others. Petitioner asks only that the Board of Education be directed to apply its expertise to the problem and rectify the situation.

The majority opinion in *Lau* thus makes a clear distinction between requiring some form of remedial action to overcome linguistic barriers, and mandating a specific remedy such as instruction in the children's native language. It clearly orders the former but not the latter.

One of the clearest statements of this distinction had already been made in 1973 by a member of the appeals court.

This judge observed:

The majority's characterization of the relief sought as "bilingual education" is misleading. The children do not seek to have their classes taught in both English and Chinese. All they ask is that they receive instruction in the English language.

The author of that statement: then-Judge Shirley Hufstедler.

Since then, Secretary Hufstедler seems to have forgotten the true meaning of the Lau decision. Those of us in Congress who remember and respect the original intent of that decision must, therefore, act to block her Department's misuse of it. That is what my August 27 amendment to the Labor-HHS-ED appropriations bill, my proposed H.R. 8167, and several proposals being discussed in the other body are designed to do.

The complete text of Judge Hufstедler's 1973 opinion follows. I challenge anyone to deduce from this statement—or from the later Supreme Court decision—any requirement that schools conduct classes for linguistic minorities in any language other than English.

LAU VERSUS NICHOLS

CITE AS 483 F.2D 791 (1973)

Hufstедler, Circuit Judge, with whom Judge Ely concurs, dissenting from the denial of hearing en banc:

I dissent from the rejection of en banc consideration. The case presents unusually sensitive and important constitutional issues. The majority opinion states principles of statutory and constitutional law that cannot be reconciled with controlling authority. Unless these principles are corrected now, the protections of the Civil Rights Act will be seriously impaired in this Circuit.

The majority opinion correctly identifies the two groups of children who brought this action: (1) 1,790 Chinese school children who speak no English and are taught none, and (2) 1,066 Chinese children who speak no English and who receive some kind of remedial instruction in English. The majority's characterization of the relief sought as "bilingual education" is misleading. The children do not seek to have their classes taught in both English and Chinese. All they ask is that they receive instruction in the English language.

Access to education offered by the public schools is completely foreclosed to these children who cannot comprehend any of it. They are functionally deaf and mute. Their plight is not a matter of constitutional concern, according to the majority opinion, because no state action or invidious discrimination is present. The majority opinion says that state action is absent because the state did not directly or indirectly cause the children's "language deficiency", and that discrimination is not invidious because the state offers the same instruction to all children. Both premises are wrong.

The state does not cause children to start school speaking only Chinese. Neither does a state cause children to have black skin rather than white nor cause a person charged with a crime to be indigent rather than rich. State action depends upon state responses to differences otherwise created.

These Chinese children are not separated from their English-speaking classmates by state-erected walls of brick and mortar (CF. *Brown v. Board of Education* (1954) 347 U.S. 483, 74 S.Ct. 686, 98 L.Ed. 873), but the language barrier, which the state helps to maintain, insulates the children from their classmates as effectively as any physical bulwarks. Indeed, these children are more isolated from equal educational opportunity than were those physically segregated blacks in *Brown*; these children cannot com-

municate at all with their classmates or their teachers.

The state's response to the non-English speaking Chinese children is not passive. The state compels the children to attend school (Cal.Educ.Code § 12101), mandates English as the basic language of instruction (Cal.Educ.Code § 71),¹ and imposes mastery of English as a prerequisite to graduation from public high school (Cal.Educ.Code § 8573).² The pervasive involvement of the state with the very language problem challenged forbids the majority's finding of no state action. (E.g., *Bullock v. Carter* (1972) 405 U.S. 134, 92 S.Ct. 849, 31 L.Ed.2d 92; *Burton v. Wilmington Parking Authority* (1961) 365 U.S. 715, 81 S.Ct. 856, 6 L.Ed.2d 45; *Shelley v. Kraemer* (1948) 334 U.S. 1, 68 S.Ct. 836, 92 L.Ed. 1161; *Nixon v. Condon* (1932) 286 U.S. 73, 52 S.Ct. 484, 76 L. Ed. 984).

The majority opinion concedes that the children who speak no English receive no education and those who are given some help in English cannot receive the same education as their English speaking classmates. In short, discrimination is admitted. Discriminatory treatment is not constitutionally impermissible, they say, because all children are offered the same educational fare, i.e., equal treatment of unequals satisfies the demands of equal protection. The Equal Protection Clause is not so feeble. Invidious discrimination is not washed away because the able bodied and the paraplegic are given the same state command to walk.

The majority holdings are contrary to a cascade of Supreme Court authority. Although the majority opinion acknowledges the existence of many of these cases, it attempts to circumvent them by reducing state action concepts to levels unacceptable for a hundred years and by drawing distinctions to confine the prior cases to an uncharted jurisprudential territory remote from the San Francisco schools. The great equal protection cases cannot be shriveled to the size the majority opinion has prescribed.

Even if the strict scrutiny test were inapplicable, the Chinese children made out a prima facie case. A claim of invidious discrimination against those who could speak and write only Chinese came to the Su-

¹ Cal.Educ.Code § 71:

"English shall be the basic language of instruction in all schools.

"The governing board of any school district and any private school may determine when and under what circumstances instruction may be given bilingually.

"It is the policy of the state to insure the mastery of English by all pupils in the schools; provided that bilingual instruction may be offered in those situations when such instruction is educationally advantageous to the pupils. Bilingual instruction is authorized to the extent that it does not interfere with the systematic, sequential, and regular instruction of all pupils in the English language.

"Pupils who are proficient in English and who, by successful completion of advanced courses in a foreign language or by other means, have become fluent in that language may be instructed in classes conducted in that foreign language."

² Cal.Educ.Code § 8573:

"No pupil shall receive a diploma of graduation from grade 12 who has not completed the course of study and met the standards of proficiency prescribed by the governing board. Standards of proficiency in basic skills shall be such as will enable individual achievement and ability to be ascertained and evaluated. Requirements for graduation shall include:

(a) English.
(b) American history.
(c) American government.
(d) Mathematics.
(e) Science.
(f) Physical education, unless the pupil has been exempted pursuant to the provisions of this code.
(g) Such other courses as may be prescribed."

preme Court almost 50 years ago in *Yu Cong Eng v. Trinidad* (1926) 271 U.S. 500, 49 S.Ct. 619, 70 L.Ed. 1059. The Philippines had enacted a statute requiring business account books to be kept solely in English, Spanish, or any local dialect. The petitioner, a Chinese merchant who could neither speak nor write any language except Chinese challenged the statute on due process and equal protection grounds. The Philippine statute, like the California statutes here involved, was facially neutral. Mr. Chief Justice Taft, speaking for a unanimous court, struck down the statute as a denial of equal protection.³

The classifications that are relevant to our equal protection problem in this case can be defined in a number of ways. It is unnecessary to describe more than three of them to structure the constitutional inquiry. The narrowest classification created by state action is this: (1) all Chinese school children in the district who can speak English versus (2) all Chinese school children in the district who cannot speak English and are taught no English, represented by a group of 1,790 plaintiffs. Children in the first class have full access to education; those in the second have none. The sole difference between them is linguistic. Is the denial of instruction to learn English—and hence to learn anything—rationally related to any legitimate state end? The state offers no rationale, and I am unable to discern any.

A second classification is: (1) all Chinese school children who do not speak English and are taught none versus (2)(a) children identically situated who receive six hours per day of special instruction, represented by a group of 433 plaintiffs, and (2)(b) children also identically situated who receive one hour per day of special instruction, represented by a group of 633 plaintiffs. Although some special education is provided, it is not made available to all on an equal basis. (See *Brown v. Board of Education* (1954) 347 U.S. 483, 74 S.Ct. 686, 98 L.Ed. 873; *Griffin v. Illinois* (1956) 351 U.S. 12, 76 S.Ct. 585, 100 L.Ed. 891.) Nothing appears on the face of the record to explain why children are placed in one class rather than another. It is thus impossible to determine whether the basis of distinction has any rational connection to any legitimate state aim.⁴

A third classification is: (1) all Chinese non-English speaking children who receive some remedial tutelage in English versus (2) all of their classmates who speak English. It is conceded that children in the first class have much narrower access to education than children in the second. Is there a rational basis for declining to bridge the

³ In our case, unlike *Yu Cong Eng*, there is no indication that California intended the language statutes to injure Chinese. But it is now abundantly clear that good faith is irrelevant if in fact the impact of state action is discriminatory. E.g., *Burton v. Wilmington Parking Authority*, *supra*, 365 U.S. 715, 725, 81 S.Ct. 856; cf. *Baker v. Carr* (1962) 369 U.S. 186, 82 S.Ct. 691, 7 L.Ed.2d 663. California's record of deliberate discrimination against Chinese and Japanese is nevertheless lengthy. One of the sadder chapters in that melancholy history was an order of the San Francisco school board in October, 1906, compelling all Oriental children to attend a segregated school in Chinatown. The order was ultimately withdrawn under pressure of litigation, of Congress, and of the President of the United States. *McWilliams, Prejudice* p. 26 (1944).

⁴ This is not a case like *Dandridge v. Williams* (1970) 397 U.S. 471, 90 S.Ct. 1153, 25 L.Ed.2d 491, where there was a clear basis for distinguishing between welfare recipients stated in the regulation at issue. The requirements of *Dandridge*—"It is enough that the State's action be rationally based and free from invidious discrimination." (*Id.* at 487, 90 S.Ct. at 1162)—have not been met in this case.

educational gap between the two classes? Again the state has not been required to supply one, and there is no showing in the record that those children, or any portion of them, in the first class are afforded a meaningful opportunity to a minimum public education. Here, as in *Bullock v. Carter* (1972) 405 U.S. 134, 92 S.Ct. 849, 31 L.Ed.2d 92; *Reed v. Reed* (1971) 404 U.S. 71, 92 S.Ct. 251, 30 L.Ed.2d 225; *Tate v. Short* (1971) 401 U.S. 395, 91 S.Ct. 668, 28 L.Ed.2d 130; *Williams v. Illinois* (1970) 399 U.S. 235, 90 S.Ct. 2018, 26 L.Ed.2d 586; *Douglas v. California* (1963) 372 U.S. 353, 83 S.Ct. 814, 9 L.Ed.2d 811; *Griffin v. Illinois* (1956) 351 U.S. 12, 76 S.Ct. 585, 100 L.Ed. 891; *Brown v. Board of Education* (1954) 347 U.S. 483, 74 S.Ct. 686, 98 L.Ed. 873; *Yick Wo v. Hopkins* (1886) 118 U.S. 356, 6 S.Ct. 1064, 30 L.Ed. 220, the state has participated in discriminating against a clearly identifiable class and its failure to remedy the discriminatory practice has not been justified at all.

The state did not meet even its minimal burden. But its obligation was to meet the far more stringent test of strict scrutiny. The Chinese children have met *prima facie* even the rigorous standards of *San Antonio Independent School District v. Rodriguez* (1973) 411 U.S. 1, 93 S.Ct. 1278, 36 L.Ed.2d 16: (1) They are members of a class precisely identifiable, (2) the state has participated in discriminating against them, (3) the children who speak no English and are taught none are absolutely deprived of education and it has not been shown that those who are taught some English have a meaningful access to an adequate education. *San Antonio Independent School District v. Rodriguez* is the most recent pronouncement in a lengthy chain of equal protection cases. But even if it stood alone, *San Antonio Independent School District* would compel reversal. ●

ALCAN PIPELINE DISCRIMINATES AGAINST U.S. STEEL INDUSTRY

HON. JOHN P. MURTHA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. MURTHA. Mr. Speaker, at a recent steel caucus meeting there was a discussion of the violations of Canada's commitments in the agreement of principles on the Alcan Pipeline which assured consideration of American materials for the project on a competitive basis. In fact, American companies have not had a fair opportunity to supply pipeline materials in Canada, and the American taxpayer will be paying additional hundreds of millions of dollars for this discrimination.

I have been deeply concerned about the effect of this pipeline on our domestic steel industry. As the Alcan oversight committees review the project, and suggestions for governmental financing or loan guarantees for the pipeline, the actions taken by Canada at the expense of the American economy should be carefully considered.

I cannot justify governmental financing of a project which has denied a fair and competitive opportunity for domestic steel companies to participate in the supply of goods and services to the project. Appropriate action

must be taken to insure that the agreement in principles and the Trans-Pipeline Treaty are responsibly and faithfully discharged.

As I noted in 1977, I want to stress three points that convinced me to work for a route controlled by all American interests, all American workers, all American products, and all American territory to guarantee availability of this American gas.

I still believe these three points provide major problems in the Alcan project.

First, Deputy Energy Secretary John O'Leary made a statement before the Interior Subcommittee of the Appropriations Committee that I believe is extremely important. Mr. O'Leary told our subcommittee this Nation could face economic disaster in 3 to 5 years if new sources of energy are not developed and conservation increased. That statement, coupled with our experience last winter, makes it essential that the Alaskan gas be developed as quickly as possible. This gas can provide 5 percent of our present gas consumption, enough to insure 1 million jobs or heat 24 million homes.

The major concern I have about the Alcan project is its potential for delay. The factors that can push its construction timetable backward include: Settlement of Native claims; environmental considerations; possible delays during winter construction over new work areas; financing problems for the pipeline companies; decisions by the Canadian Government; and uncertainties within the pipeline treaty.

Second, it is essential to remember the counterproductive impact of not getting this gas. We cannot afford to be without this gas for any longer period than necessary. Those of us in the Northeast last winter had individuals unemployed because companies could not obtain natural gas; we had homeowners fearful of being short of gas for heating and cooking. We cannot take any chance with having this gas delayed in reaching the Lower 48 States. Too much of the Alcan proposal is outside U.S. control and subject to delays we cannot influence.

Third, I would like to mention the potential positive economic impact had the Government approved the Alaskan route. The El Paso/Alaskan project would have produced \$4 billion more in economic impact into the U.S. economy than Alcan; it would have produced more taxes for U.S. governments; and it would have produced 765,000 man-years of additional jobs—three times the Alcan project—for Americans.

Another economic point which must be mentioned is that El Paso/Alaska had pledged to buy all its steel for its project from American companies. I represent an area where steelworkers have lost jobs, in part because of the import of foreign steel. Now, the President has recommended approval of an American project that is going to buy

much of its steel—possibly all of its steel—from foreign manufacturers.

For those reasons, I believe the El Paso/Alaskan route held the greatest potential for getting this essential gas to the Lower 48 States as quickly as possible. I believe the need for this gas demanded an accelerated, full-speed-ahead project. I do not believe the Alcan route holds the potential for meeting these goals.

The actions taken by Canada bear out what I have been stressing throughout this project. The effect of this pipeline on the domestic steel industry as well as our economy as a whole must be carefully considered in this matter. ●

FLIGHT TRAINING

HON. THOMAS A. DASCHLE

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. DASCHLE. Mr. Speaker, any day now President Carter is expected to sign into law legislation which will reduce the level of reimbursement paid to veterans in the GI bill flight training program from 90 percent to 60 percent of the costs of their training. The program is a victim of the budget reconciliation process. Unfortunately, this action will also have an unintended effect on our military capabilities by exacerbating problems the military has been experiencing in retaining highly skilled combat pilots. Thus, I am today introducing legislation to raise the reimbursement level for veterans participating in the GI bill flight training program back to the 90 percent level.

During the 1980's, the United States will face a shortage of civilian pilots unprecedented in domestic aviation history. The chances are good that this problem will spread to the Armed Forces as well. The scenario that I envision is that military pilots will be lured from the service in increasing numbers by the high salaries resulting from the pilot shortage that will follow the current recession and airline slowdown. That is unless the GI bill flight training program is maintained at a level which will insure continued participation.

Increases in general aviation flying, compounded by the explosive growth of commuter airlines, has created a demand that will exceed 5,800 pilots annually. In the past, 50 percent to 75 percent of these positions have been filled by ex-military pilots. If flight training participation rates go down, as they are expected to do because of the increased costs to the veteran, there will be an even greater demand for skilled pilots from the military. This not only weakens our national defense posture, but wastes millions of tax dollars also. The charts listed below more fully document the numbers involved.

Assuming a low retention rate of 50 percent and optimistically that 80 percent of those separating will seek a civilian pilot career, the military pilot availability will be as follows:

PILOTS AVAILABLE FROM THE MILITARY

1980: $2,500 \times 50 \text{ percent} \times 80 \text{ percent} = 1,000$ pilots.

1983: $1,950 \times 50 \text{ percent} \times 80 \text{ percent} = 780$ pilots.

1986: $2,700 \times 50 \text{ percent} \times 80 \text{ percent} = 1,080$ pilots.

1988: $1,988 \times 50 \text{ percent} \times 80 \text{ percent} = 1,200$ pilots.

The demand for civilian pilots far exceeds those coming out of the military. The deficit is as follows:

Year	Civilian demand	Military supply	Deficit
1981	5,800	1,000	4,800
1983	5,800	780	5,020
1986	5,800	1,080	4,720
1988	5,800	1,200	4,600

Also important is the cost of training a military jet pilot, which is 46 to 53 times higher than comparable civilian training—approximately \$750,000 versus \$18,000. Flight training under the GI bill will provide a remedy for this problem by training more civilian pilots at a far lower cost than if a military pilot defects to the private sector.

Previous efforts to eliminate flight training benefits have been based to a great extent on the results of a General Accounting Office (GAO) report (HRD-79-115), which supported the Veterans' Administration assertion that benefits should be terminated. Unfortunately, the GAO report was based on statistical data provided by the VA which did not give an accurate indication of actual employed veterans. Rather the VA's sample only took into account veterans who had spent 80 percent or more of the maximum authorized charge for that course. There was never any consideration given as to whether the veteran has taken a flight test or obtained a pilot certificate before 80 percent of the maximum charge had been spent. Thus, the sample and resultant report is incapable of determining the actual number of percentage of veterans who became employed as a result of their participation in flight training.

Although the VA has continually cited abuse as a justification for terminating this program, it must be realized that provisions do exist in the program to insure the sincerity of enrolled veterans. Although a 10-percent cost to the veteran may seem like he would pay 10 cents on the dollar, this, in fact, is not the case. The 90-percent reimbursement level rate is only applicable to advanced flight training costs. The veteran must also pay for all of his books, equipment, and pilot examiner fees. In addition, he must pay for all the hours needed beyond the minimum skill level under the new FAA

regulation, part 141, training rules. The charts below fully detail the costs to the veteran.

REIMBURSEMENT AT 90 PERCENT

Type of cost	Cost	VA reimbursement	Student cost ¹ (non-reimbursable)
Private pilot	\$1,800	0	\$1,800
Commercial-instrument (FAA minimum hours)	6,100	5,490	610
Commercial-instrument (beyond FAA minimum)	1,000	0	1,000
Flight instructor	1,500	1,350	150
Instrument instructor	1,000	900	100
Books and equipment	100	0	100
Flight test fees	175	0	175
Total	11,675	7,740	3,935

¹ Paid by student: 33.7 percent.

REIMBURSEMENT AT 60 PERCENT

Type of cost	Cost	VA Reimbursement	Student cost ¹ (non-reimbursable)
Private pilot	\$1,800	0	\$1,800
Commercial-instrument (FAA minimum hours)	6,100	3,660	2,440
Commercial-instrument (beyond FAA minimum)	1,000	0	1,000
Flight instructor	1,500	900	600
Instrument instructor	1,000	600	400
Books and equipment	100	0	100
Flight test fees	175	0	175
Total	11,675	5,160	6,515

¹ Paid by student: 55.8 percent.

Thus, one can see that the actual cost to the veteran is much higher than it might first appear.

In conclusion, I believe that retention of the flight training program at its former reimbursement level of 90 percent is most important. Not only is it a cost-effective program, but it would also alleviate a potential crisis in the retention of skilled military jet pilots who will become increasingly sought after in the 1980's by commuter airlines and business firms in need of pilots. Pilots graduated from flight training courses will be an alternative source of supply and can be trained at far less cost than their military counterparts. For these reasons, Mr. Speaker, I hope that Members of the House of Representatives will see fit to support and cosponsor the legislation I have introduced today.●

STRONG DEFENSE IMPORTANT U.S. WEAPON

HON. HAROLD S. SAWYER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. SAWYER. Mr. Speaker, where the national security is concerned, there is simply no substitute for an adequate defense. Recent aggression by the Soviet Union and her allies, coupled with the disturbing decline in American military strength, has convinced me that America must maintain a tough, efficient, and effective conventional force which is capable of

flexible response to any potential threat.

REDUCTIONS UNWISE

President Carter has seriously weakened U.S. defense posture during the past 3½ years through massive cuts in U.S. defense spending, cancellation, and delay of important strategic initiatives, and postponed deployment of enhanced weapon systems. He cut President Ford's shipbuilding plan in half. He vetoed a nuclear aircraft carrier. And he has opposed efforts to correct the problem of retaining a highly skilled military force.

DEFENSE SPENDING DOWN

I have consistently voted for increasing our conventional military forces and improving their effectiveness. Since the Vietnam war our country's military preparedness has dropped sharply. Defense spending as a percent of the gross national product has dropped from 9.3 percent in fiscal year 1968 to 5.2 percent in fiscal year 1981.

FORCE READINESS

Regrettably, this administration's various defense budget proposals do not improve our military strength quickly enough or in a sufficiently systematic and coherent way.

We cannot continue to pour funds into fancy hardware items without improving the readiness related items, like spare parts, equipment maintenance, training, and manpower retention.

RETENTION TOP PRIORITY

The retention of technically skilled manpower is one of the most serious problems facing the military services today. Military compensation is so low that some service people actually qualify for food stamps.

When Congress directed the services to go to an all-volunteer service, they had a responsibility and an obligation to attract quality people to the service and keep them in the services. I have supported a package of new military benefits to solve the retention problem. In addition, I believe the Congress should renew the GI bill for educational assistance to further improve the recruiting and retention of high quality personnel.

MORE EFFICIENT PURCHASING

Our procurement of new ships, aircraft, tanks, and other necessary weaponry should take advantage of the most efficient production capacity. This will insure that we pay the lowest possible unit price. This is oftentimes not the present practice. At all levels we must encourage strong defense and military management and increased research and development.

SOVIET RELATIONS, SALT II, NATO

The Soviet Union has pressed forward with a huge military buildup and it is necessary for the United States, in cooperation with our NATO allies, to maintain our military defense capabilities.

The Senate has put the SALT II treaty agreement on hold, a postponement which I believe is necessary. The

United States was outnegotiated by the Soviets because of the weakness of the Carter administration. We can produce a better treaty. Further, with the Soviets continuing their aggression in Afghanistan, playing a major role in Middle East tensions, and continuing to equip the radical Arab States, we have to be practical in our assessment of United States-Soviet relations and specifically, the military balance or lack of it. The modernization of NATO must continue with the realization that until we can achieve very specific and enforceable arms control, self-interest requires a necessary investment in our national defense and that of our allies.

SUMMARY

In a world beset by major power threats, adventurism, and terrorism, we must clearly develop a global strategy which clearly defines our interests, recognizes the importance of long-held alliances, support for friendly economic systems, and strengthens Western goals and ideals.

A successful foreign policy is based not only on the ability to respond firmly in a crisis, but also to avert dangerous situations before they occur by maintaining adequate and efficient strength, a firm resolve, and a clearly defined national strategy. ●

DO NOT RUSH TO BURY NUCLEAR WASTE

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. MARKEY. Mr. Speaker, we cannot legislate the safe resolution of the nuclear waste crisis. Scientific uncertainties and technical failures lie beyond the reach of any legislature. But Congress can and must enact legislation mandating Federal agencies to conduct comprehensive, step-by-step, safety-first work necessary for a sound nuclear waste management program. The lack of such a program today—35 years after the dawn of the nuclear age—rightly undermines public confidence in nuclear power.

This year, unfortunately, the best bill may be no bill. Most experts agree that the goal of nuclear waste management must be to dispose permanently of the wastes by isolating them through deep burial underground. To pursue any other method is to throw us off this necessary track.

Major legislation has been debated in Congress this year on this subject. In June, the Senate approved S. 2189, which in most respects represents the nuclear industry's wish list. The bill does almost nothing to establish safe, final nuclear waste management facilities. Instead, principal emphasis is placed upon interim storage of spent nuclear fuel and other wastes. It stresses surface, long-term storage—for 100 years or more—which is noth-

ing more than a quick and dirty temporary fix designed largely to soothe public fears. These nuclear crypts could become permanent facilities simply by default or inertia. Going to such an interim storage plan will only divert Government resources from permanent plans. Long-term storage of nuclear wastes is simply a copout on finding a permanent solution. This generation has the moral obligation to solve this problem rather than leave it to future generations. While we cannot yet be entirely confident that a permanent solution will be found, the National Academy of Sciences reported in January of this year that no insurmountable obstacles are foreseen to preclude the safe disposal of nuclear wastes in geologic formations. Regrettably, however, the Carter administration did not lobby in the Senate this summer against the long-term storage approach in S. 2189.

In the words of a New York Times editorial this year:

Interim storage has a fatal flaw. It lets political leaders procrastinate, as they have for three decades, on permanent disposal. For the country to keep producing mountains of waste without knowing that it can be safely and permanently disposed of would be reckless . . . selecting a site in haste . . . could cause much grief tomorrow. Better to do the job right than do it right now.

Legislation introduced this year in the House of Representatives is also flawed. H.R. 7418, as reported from the Science Committee, puts all is nuclear eggs in the basket of demonstration facilities exempted from licensing by the Nuclear Regulatory Commission. This reckless fast-track approach would greatly impair, rather than assist, the development of the safest possible full-scale repositories which must be licensed by the NRC. H.R. 6390, as reported from the Interior and Commerce Committees, establish a constructive, safety-first framework for the development of full-scale geologic repositories. But the two bills severely limit the right of States to object to a proposed repository site planned for inside their borders by the Department of Energy.

This year, the nuclear industry tried to steamroller Congress to enact nuclear waste policy legislation at almost any cost. The appearance—without the reality—of a solution to the nuclear waste disposal problem was the prime objective of some industry groups. I agree that we face critical choices on a menacing issue. But we should not allow Congress to be rushed to judgment on a question posing health and safety risks to society and our environment for tens of thousands of years to come. If repository sites are poorly sited or incorrectly designed, and radiation subsequently enters water or air, the results could be disastrous.

Our Government does need to begin at once to solve the radioactive waste problem. But controversial issues

remain to be resolved. What should the scope and pace of this program be? Who should bear its costs, the taxpayers or the utilities and their ratepayers? What role should the NRC have to license facilities? How should we apply the National Environmental Policy Act to guarantee environmental analyses of Federal proposals and reasonable alternatives to these proposals? What rights to object to a proposed site should be reserved to State governments? Over the years, the executive branch has tried to solve these problems and ignore certain of these hard questions. But each attempt failed—such as that in Lyons, Kans., in the early 1970's—because of short-sighted planning and inadequate technical readiness.

I repeat, the best bill this year may be no bill at all. We dare not risk enactment of a deeply flawed nuclear waste policy in the final days of this Congress. We cannot be secure that the measure which comes finally from the conference committee will meet the test of a safety-first stress on permanent disposal of these deadly wastes. Instead, we should aim in the next Congress to begin again to draft legislation which protects these fundamental principles. In the interval, the Government can still move forward with development of a step-by-step waste management program. In June, the House passed H.R. 7590, the 1981 energy and water appropriations bill, including funds for planning and development of waste management programs.

In conclusion, I urge my colleagues to read editorial statements by the Washington Post and the New York Times which examine these questions in some detail:

[From the Washington Post, July 24, 1980]

WHAT TO DO ABOUT NUCLEAR GARBAGE?

For most of the 35 years of the nuclear era, nuclear advocates have argued that technical solutions to the problem of nuclear waste disposal are available and relatively simple—if only nuclear opponents would knock off the racket. Less biased experts believe there are technical solutions that might prove acceptable after extensive testing. Opponents of nuclear energy have used the lack of a proven waste plan as an argument to try to stop nuclear power altogether.

The few efforts actually to deal with nuclear waste have ended badly. The now-defunct Atomic Energy Commission planned a waste disposal site in a salt mine in Kansas. Despite the seven years of research that preceded the decision, technical problems that forced an end to the project soon became obvious. A different approach to waste management—a commercial reprocessing plant—was closed by New York state nearly a decade ago because of radioactive leakage after the plant was abandoned by its corporate owners. No one yet knows how the site can be cleaned up or who will pay the gigantic costs. Warned by these experiences, state governments have developed a disinclination to have anything to do with nuclear waste: 16 of them have passed laws forbidding waste repositories within their borders.

Six months ago, the Carter administration proposed a nuclear waste policy that seemed

to provide the basis for a successful program. It argued that since the social, economic and political barriers to an acceptable waste policy are at least as formidable as the technical ones, the only solution is a policy of making haste slowly. Under the plan, technical decisions would be made only after full investigation of several alternatives, state governments and the public would be informed and consulted at each stage, environmental laws would be enforced and waste disposal sites would be licensed by the Nuclear Regulatory Commission.

Almost immediately, however, contradictory plans appeared in Congress. Over-zealous nuclear advocates pushed through committee bills that deal with the many impediments to a final program by either ignoring or overriding them: no environmental reviews, no time-consuming investigation of alternative sites, no role for state governments, no more R&D to look for the best technical solution.

Meanwhile, the Armed Services committees, worried that nuclear wastes cannot continue to accumulate for much longer without a permanent solution, and appalled by the thought that state governments, citizens, environmentalists and others might have any say over what happens within their jurisdiction, decreed that nuclear wastes generated in the production of weapons will henceforth be called "defense by-products" and handled independently from commercial nuclear wastes. If this decision is not overturned, the confusion, duplication and waste of money that will follow will be vast.

Neither approach will work. Any plan that is rushed into is likely to fail, and is certain to be politically vulnerable. Efforts to bar admittedly lengthy environmental reviews will only end in even slower litigation. Resistance from state governments will increase. The effort to forge ahead with a separate, unlicensed defense program to handle the same kinds of waste is equally ill-judged. The public doesn't care whether the radiation that could contaminate its underground water supply comes from reactors or warheads—the effects are the same.

If Congress really wants to ensure a future for nuclear energy in this country, it should reject these efforts to rush into a program or to steamroller the opposition. A slow but steady approach, one that gives a real voice to state and local government and one that is accessible to critical review, is the only solution that stands a chance of success.

[From the New York Times, Aug. 10, 1980]

DON'T RUSH TO BURY NUCLEAR WASTE

Proposals to cope with radioactive waste are piling up as fast as the waste itself. State governors and key Congressmen have, at least, reached a consensus on how to manage low-level wastes, like lightly contaminated clothing from hospitals and nuclear plants. They would make the states responsible, acting through regional compacts. But Congress is still wrestling with a much harder problem: how to dispose of high-level nuclear wastes which remain toxic for centuries.

These include thousands of tons of used fuel rods, now stored at nuclear power plants, and millions of gallons of dangerous liquids from weapons production, now stored in tanks on military reservations. Several disposal bills are pending in one house or the other, and one has already passed the Senate. Amid all these competing proposals, what principles should guide the search for answers?

Permanence. One critical issue is whether to emphasize finding a permanent disposal

site, probably deep underground, or interim facilities, where wastes could be stored for a century or more. The Senate has just passed a bill favoring the second approach. A series of mausoleums would be built on the ground or not far under. The idea sounds attractive. It would let the wastes be monitored while scientists figure out the best permanent solution.

But interim storage has a fatal flaw. It lets political leaders procrastinate, as they have for three decades, on permanent disposal. For the country to keep producing mountains of waste without knowing that it can be safely and permanently disposed of would be reckless.

Deliberation. How fast should permanent storage be developed? Nuclear advocates in Congress feel that safe disposal techniques already exist. They want the Government to start digging the shafts right away to show it can be done and end the controversy. But the Administration favors more deliberate site selection and further studies that would lead to a working repository in about 20 years. This measured pace seems wise. In the past, some burial efforts had to be stopped because of unforeseen problems.

Retrievability. The nuclear advocates are probably right that spent fuel rods, unlike other wastes, should be retrievable from any storage site. They contain valuable plutonium and uranium that could be extracted and used again as fuel. Current national policy opposes such "reprocessing" because it yields plutonium that can be turned into bombs. But that policy might change in an energy-short world. Nor does retrievability necessitate surface storage; an underground site could be designed so that buried nuclear wastes could be dug up again. Congress needs to explore this idea.

Veto Rights. Who should have the final say on locating permanent repositories? State officials want the right to veto sites chosen within their borders. That is a formula for inaction. There will always be some public opposition to accepting nuclear wastes and the easy way out politically will always be to say, "Not here." True, the states are taking the lead in finding sites for low-level wastes. But that task is relatively simple, and it benefits popular institutions like hospitals. Disposing of highly radioactive materials from power plants and military programs is trickier, yet the job has to be done. No state with an ideal site should have the power to thwart the requirements of the whole country.

Some nuclear critics want to end the expansion of nuclear power until the safety of permanent disposal has been demonstrated. Their boldness may be appealing—why generate more waste if there's no way to get rid of it? But it jumps the gun. Most experts think safe permanent sites can be found within 10 or 20 years. A couple of decades' waste won't make the disposal problem significantly more difficult. In fact, forcing the issue might lead to selecting a site in haste that could cause much grief tomorrow. Better to do the job right than to do it right now.●

DR. DONNA E. SHALALA

HON. MARY ROSE OAKAR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Ms. OAKAR. Mr. Speaker, on Wednesday, October 8, 1980, Ms. Donna E. Shalala—who has been Assistant Secretary for Policy Develop-

ment and Research at the Department of Housing and Urban Development since April 1977—will be inaugurated as the 10th president of Hunter College in New York. While I am delighted that Ms. Shalala has been accorded this high honor, I deeply regret that I will be unable to attend her inauguration ceremonies. I wish to share with my colleagues some of Ms. Shalala's achievements in a career that has been distinguished by professional creativity, conscientious public service, and farsighted leadership.

Donna Shalala attended Western College for Women in Oxford, Ohio, where she received a bachelor of arts degree in 1962. From there, she went on to study at the Maxwell School of Citizenship and Public Affairs, Syracuse University, where she received her M.A. and Ph. D. in 1968 and 1970 respectively.

Ms. Shalala became a research scholar and specialist in urban government and finance and taught at Columbia, Yale Law School, the City University of New York, and Syracuse University before coming to HUD. In 1975, the Governor of New York appointed her as a director and treasurer of the municipal assistance corporation, the special agency established to deal with New York City's financial crisis.

In 1976, Dr. Shalala was elected to the National Academy of Public Administration. She is also a member of Phi Beta Kappa and has received the American Association of University Women's Young Scholar Award and a Guggenheim fellowship. Her civic activities have included vice chairwoman of the Citizen's Union of the City of New York and membership on the boards of the Regional Plan Association, World Education Inc., the Council on Municipal Performance, and the National Municipal League.

While at HUD, Ms. Shalala has proven to be an innovative, imaginative, and resourceful administrator. Under her leadership, most of HUD's major research efforts are reviewed by panels of public officials. Because of Ms. Shalala's interest and initiative, HUD has become involved in the review of urban productivity as well as financial management problems.

On a personal note, I wish to say, on behalf of all the people of Cleveland, how proud we are of Donna. My family and her family have been friends for years. I want to join Donna's mother, Mrs. Edna A. Shalala, and Donna's twin sister, Mrs. Diane A. Fritel, and all her relatives and friends throughout the country, in congratulating Donna on her appointment as Hunter College's newest president and to commend her for her extraordinary work at HUD. I know that she will serve Hunter College well and continue to display innovative and imaginative leadership.●

FAIR HOUSING BILL NOT FAIR

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. DERWINSKI. Mr. Speaker, the Suburbanite Economist Newspapers, serving suburban Cook County, is well-respected for its diverse and spirited editorials. In the September 24 edition of the Economist, I was pleased to see that their position on the so-called fair housing legislation coincided with mine. I believe that this objective editorial speaks for itself, and would like to direct it to the attention of the Members:

FAIR-HOUSING BILL NOT FAIR

What is called a civil rights bill is tied up in the Senate and it should stay tied up. Under the bill, someone complaining of discrimination in the sale or rental of housing could take his complaint to the Department of Housing and Urban Development, and, if conciliation failed, have it decided by a hearing officer. Now if conciliation fails the complainant must file suit in a court of law.

This would be an open invitation to declare war on landlords, property owners and anyone else renting or selling housing. Property owners would have about as much chance of getting a fair shake in these hearings as employers now do in hearings involving fair employment practices, unemployment compensation or health regulations. The deck would be stacked against them.

Granted that filing a suit is an expense and time-consuming, it is still the only fair procedure available to both parties. Government bureaus have so abused their power in favor of complainants that they have made their hearings meaningless.●

THE NEED FOR INCENTIVES FOR BETTER HOSPITAL MANAGEMENT

HON. JAMES H. SCHEUER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. SCHEUER. Mr. Speaker, hospitals, under current Federal reimbursement mechanisms, all too often have little or no incentive to manage well or to contain costs. We have been faced with this problem in ever-increasing magnitude as more and more people in our Nation obtain medical care under Federal programs.

In the "Manager's Journal" section of the Wall Street Journal for Monday, September 8, 1980, an article on improved reimbursement proposals appeared, authored by Samuel Davis, executive vice president of the Mount Sinai Medical Center, of New York City.

I urge my colleagues to study this article, which I hope will stimulate more interest in this particular proposal, and similar forward-looking proposals which would lead to better management, and cost containment, in hospitals.

[From the Wall Street Journal, Sept. 8, 1980]

MANAGER'S JOURNAL

HOSPITAL INCENTIVES

Under current reimbursement plans, hospital administrators have few incentives to manage efficiently. In fact, most reimbursement schemes encourage hospitals to provide more services to the patient or to extend the length of the patient's stay.

Hospitals are paid in three basic ways. Most commercial insurance carriers, and Blue Cross plans in some regions and States, use a charge-based system, which pays prices set by hospitals for their services.

Medicare, Medicaid and Blue Cross plans in most areas traditionally use a second method, the cost-based system, which reimburses hospitals for what they spend to provide services.

And in some States, Blue Cross and Medicaid use the per diem system, which reimburses hospitals according to a flat daily rate for all patients, regardless of the care they receive.

The logic of each of these payment schemes clearly discourages cost control. The first two reimburse the hospital for each unit of service—each blood test, x-ray, surgical procedure and so on. Reimbursement rates will go up, under the charge system, as hospitals raise their prices per unit of service, and likewise, under the cost system, as costs mount. And it's clearly in the interest of the hospital to provide more services to the patient.

Under the per diem formula, the hospital receives the same amount of money per day for a patient who has complex brain surgery as for one who has a simple surgical procedure, like a tonsillectomy. It's in the hospital's interest to extend the length of a patient's stay, so that the high costs associated with the early days of hospitalization can be spread over the less expensive later days. And management has little incentive to improve the scheduling of diagnostic and treatment procedures, since the more time it takes to perform the tests, the more money the hospital receives.

Given these reimbursement schemes, most recent attempts to cut the country's hospital bill fail to get at the root of the problem. Special price controls were put in place in 1971 (and lifted a few years later). Rate review commissions were set up. Caps have been imposed on hospital operating expenses. Restrictions have been placed on the acquisition of capital equipment. And in 1977, the industry itself launched a national "voluntary effort" to bring hospital spending down. None of these approaches, however, has attacked the incentive structure for managers.

In fact, some of the controls have actually driven up the cost of care. To prevent charge and cost systems from taking their natural inflationary course, for example, third party payers have established "ceilings" on cost and listing of "reasonable" charges. Both define how much the hospital will be paid for a given unit of service.

This method, however, has actually encouraged hospitals to increase their total care, in order to bring the unit price of service down. The ineffectiveness of ceilings can best be seen in the "intensity" index released by the federal Health Care Financing Administration. Almost 30 percent of the jump in hospital expenditures over the last 10 years, according to the HCFA, is due to an increase in the number of diagnostic tests, laboratory tests and treatments performed.

In the last few years, health system researchers have been studying ways to give managers more sensible incentives. Experi-

ments to reform the reimbursement system are under way.

Several hospitals in Maryland are participating in a demonstration project that guarantees them a set amount of revenue for the year based on a reimbursement rate per admitted patient. The amount can be adjusted for changes in the complexity or number of cases or for inflationary problems beyond the hospital's control.

Under this system, hospital managers know in advance how much they have to spend. They have the latitude to spend the revenue the way they see fit and to bring the cost of treating patients below the guaranteed amount, which will produce savings for both patient and hospital.

The results to date look good. During the first year of the project, the length of stay in participating hospitals decreased 3.2 percent, as compared to 0.5 percent in the control group. Last year, the hospitals kept their rate of increase in expenditures to 9.9 percent versus 12.8 percent in non-participating hospitals.

In another demonstration project, started earlier this year in New Jersey, 18 hospitals are being paid on the basis of patient diagnosis. Over 300 diagnostic categories have been identified for every conceivable disease or illness requiring a hospital admission and fees have been set for each.

With a fixed revenue for an admission or a diagnosis, the traditional reimbursement incentives are now reversed. Under both the Maryland and the New Jersey plans, hospitals can earn a surplus or generate money for new programs by keeping the cost of treatment below the established rate.

Skeptics warn that the new efficiency incentives could affect the quality of care. They are afraid that hospitals could be encouraged to discharge patients too early, and they claim that, under the New Jersey plan, hospitals have the incentive to inflate the severity of their diagnoses. Well established government-mandated quality controls, however, already provide sufficient deterrents.

These reimbursement projects, like others being studied, have great potential for cutting the country's hospital bill. The solution up to now—placing controls on spending—has brought only temporary relief. For the long run, hospital managers need to be given the incentives and the latitude to develop efficiency.

Let the hospital manager go at risk. That's the challenge any good manager needs to perform.●

BILL TO TRANSFER CERTAIN PUBLIC LANDS TO THE CITY OF HENDERSON, NEV.

HON. JIM SANTINI

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. SANTINI. Mr. Speaker, I am introducing a bill today which provides for the transfer of some 5,885 acres of public lands to the city of Henderson, Nev. All of this land is currently under control of the Bureau of Land Management and lies totally within city boundaries. Additional land is needed by this southern Nevada community for streets and highways, water resource development, parks, and residential expansion. The acreage which would be transferred by my bill represents only 14 percent of the total city

area, but it is undevelopable due to the terrain. I would like to add here that this small town is not asking Uncle Sam for a free ride. The land would be conveyed at fair market value.

Mr. Speaker, the fact of the matter is that there should be no necessity for this bill at all. What eastern town would have to beg the Federal Government for land for townsite expansion, land for a baseball diamond, or land for a senior trailer court? What eastern town needs Federal permission to acquire the basic local services of sewers and utility lines?

Frankly, I thought we had solved at least part of this problem with the enactment of section 203 of the Federal Land Policy and Management Act—FLPMA. I was particularly active in crafting this section because I knew firsthand about townsite expansion problems such as the one facing Henderson, Nev., today. If the law were working as intended, my bill would not be necessary. The city of Henderson would simply request sale of this property and if justifiable, which I believe it is, the land would be offered for sale at fair market value. But as usual, the bureaucracy is moving very, very slowly in those areas where it is not particularly interested or enthusiastic. It took almost 4 years just to get regulations pursuant to the FLPMA section which authorizes land sales. And in the most urban area of southern Nevada, it took 3 years to sell fewer than 700 acres of public land. The most recent information I have is that BLM is in fact cutting back its real estate activities. The prospect of the law working as it was intended to looks dim. In the meantime, Henderson continues to grow and its needs are not being met.

I urge my colleagues to give every consideration to this bill for the city of Henderson, and I remind you that every bit of this land lies within the city's existing boundaries. It seems to me the most fundamental element of good government that local governments should have jurisdiction over the lands within their borders. Thank you.●

SALUTE TO THE ARTS IN WESTERN NEW YORK

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. KEMP. Mr. Speaker, it gives me great pleasure to inform my colleagues of the upcoming 1980-81 cultural season in western New York. The Arts Development Services, Inc. (ADS), the arts council for Buffalo and Erie County, is again coordinating the events to insure another successful and enjoyable calendar of entertainment.

Today in Buffalo, under the direction of Gracia Ginther, executive di-

rector of ADS, a celebration designating October as "Salute to the Arts" month begins this month's activities.

In attendance will be Erie County Executive Edward J. Rutkowski and Buffalo Mayor James Griffin. Presenting brief programs are various member organizations of ADS. These include: Young Audiences of WNY with Marlene Badger and Jerry Raven, the Center for Positive Thought with Ujima, the Nouvelle Dance Ensemble and Sounds and Echoes of Yemenja.

Mr. Speaker, I am very proud of this renaissance of culture in western New York. It is a positive step forward for the 1980's. My sincerest congratulations to the Arts Development Services, Inc. for their fine efforts in the revival of the arts in the Buffalo area.●

ON THE OCCASION OF NATIONAL CYSTIC FIBROSIS WEEK

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. STOKES. Mr. Speaker, due to the leadership of my colleague from Massachusetts, Mr. CONTE, the week of September 21-27 was observed as National Cystic Fibrosis Week. I was pleased to join as a cosponsor of House Joint Resolution 445 earlier this year, because I believe that the public needs to know more about this disease.

The only hope for a cure or control for cystic fibrosis, the most common genetic killer of young people in America, is through more research. Considerable progress has been made in adding years of life, but the disease remains incurable, and few of its victims survive past their teens or twenties.

The largest center for cystic fibrosis research is located in my congressional district. The Cleveland Cystic Fibrosis Center is a cooperative venture between Case Western Reserve University and the Rainbow Babies and Children's Hospital. I believe that their program deserves attention as a model, not only for cystic fibrosis, but for many other diseases as well.

The research program at the Cleveland Cystic Fibrosis Center was begun in 1957 by Dr. LeRoy Matthews in an effort to improve care through increasing awareness of clinical problems and the development of new knowledge. This center was designated as a "Cystic Fibrosis Center and Institute" by the Cystic Fibrosis Foundation in 1970, one of only three in the country with this designation.

The National Institutes of Health have provided institutional support for the Cleveland Cystic Fibrosis Center continuously since 1964. During these years, the pediatric nucleus of the center has grown, and currently consists of six full-time cystic fibrosis and pulmonary specialists, seven basic researchers, and more than a dozen

trainees and other staff. In addition, clinical specialists in gastroenterology, cardiology, biomedical engineering, anatomy, immunology, microbiology, the behavioral sciences, and the surgical subspecialties participate substantially in the program.

This overall research effort, currently led by Dr. Carl Doershuk, now exceeds \$2 million per year in total funding. The Cleveland cystic fibrosis group is currently conducting over 25 separate research projects covering a wide range of topics. In order to assure the rapid dissemination of findings, the program conducts a weekly cystic fibrosis-oriented research seminar, and many of the current projects began as ideas developed in those seminars.

Cleveland's cystic fibrosis reputation is not based entirely on research, however. At present, more than 450 cystic fibrosis patients are seen at Rainbow Babies and Children's Hospital, as are an additional 400 patients with other chronic lung diseases. Most of the leading researchers also treat patients, assuring the closest relationship between the work performed in the laboratory and the care delivered at bedside.

I think that this is the type of setting that is most productive in biomedical research. The eagerness of the people in Cleveland to expand their areas of interest, to provide both clinical and research training, to integrate patient care with research, and to share and nurture new ideas has created a world famous center for progress in the fight against this terrible disease.

On the occasion of National Cystic Fibrosis Week, I would like to salute the entire cystic fibrosis group at Case Western Reserve University and Rainbow Babies and Children's Hospital for the work they are doing, and I wish them continued success in the years ahead.●

FORTY-SECOND ANNUAL EDITORS CONFERENCE

HON. JOHN L. BURTON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. JOHN L. BURTON. Mr. Speaker, I would like to bring to the attention of my colleagues in the House of Representatives a speech which was made by Mr. Len Gross at the 42d Annual Editors Conference on May 17 of this year. The speech questions the accuracy of facts used by the news media. In particular, this speech is concerned with the faulty coverage of the midair collision between a PSA jet, and a small Cessna private plane which occurred on September 27, 1978, in San Diego.

It is of great importance to me that the facts of such tragedies be fully and truthfully reported by the news media

in order to augment the public's knowledge of such crucial issues as air safety, so that the chances of such accidents may be lessened in the future.

IF I WERE EDITOR . . .

Good morning . . . and thank you for inviting me to speak. I approach this group with some anxiety, since in my youth I majored in journalism, spent some time in radio broadcasting, was an Army combat correspondent in World War II, and over the years have had many contacts with the press on public relations matters for clients. I have always been slightly in awe of editors. I once had a boss, a former newspaperman, who pounded into my head—never, never send a story to the city desk unless I had checked and double checked to be sure the facts were right.

If I were editor, I think I would be terribly concerned about the objectivity and the accuracy of the stories I ran—and the ability of my reporters to understand enough about the subject they were covering to write accurately.

At a recent meeting in Washington—I believe he was addressing the Public Relations Society of America—Alejandro Orfila, the secretary-general of the Organization of American States said:

"We must recognize that the people in news media are writing on subjects as though they were experts—and yet know very little about those subjects."

I am afraid I agree with that statement, and I'd like to give you some examples to explain why I feel this way.

On September 27, 1978, a terrible mid-air collision occurred between a PSA jet and a small Cessna private plane in San Diego.

That story was the most upsetting experience that I have had in a long time—because for 26 years I handled PSA's advertising, had flown into Lindbergh Field many, many times—knew some of the people on that jet—and I am a private pilot. Obviously, I could and did identify with everyone involved—the jet flight crew, the jet passengers and the two pilots in the small plane.

I'd like to ask you a few questions:

How many of you think the Cessna hit the PSA jet?

How many of you think the pilots in the Cessna were student pilots?

How many of you think that if San Diego had had an FAA terminal control area, that the accident could have been avoided?

O.K., let's examine the facts—not necessarily what was reported.

The PSA jet hit the Cessna—the FAA ground controller tapes showed that the Cessna was advised that they had jet traffic at six o'clock and that the jet had them in sight—six o'clock was directly behind the Cessna. Even after the National Transportation Safety Board issued its report that the cause of the accident was the failure of the PSA crew to maintain visual separation, the news media continued to ignore the fact that that was the cause of the accident—that and the PSA pilot's failure to report that he had lost sight of the Cessna. Had he done so, the controllers would have turned him away from the small plane. The point is: most people today feel the accident was caused when the Cessna hit the jet, based on what they read and heard.

About the "student" pilots . . . the news media continued to call the crew of the Cessna "student" pilots—but both of them were commercial-rated pilots. One of them was studying for his instrument rating—but was certainly not a "student" in the sense that the impression created was that he was untrained and didn't have much flying experience or knowledge.

In the understandable reaction to the terrible tragedy—much was made of the fact that San Diego did not have Terminal Control Area—a required airspace plan where all traffic is under FAA ground control and certain equipment is needed or you cannot fly into the area. I saw mentioned briefly in one story the admission from the FAA that the accident occurred under exactly the conditions that would be in effect with a Terminal Control Area. Both aircraft were under ground control, following controller directions, but that fact was generally ignored by the news media.

Here's another question for you.

How many of you feel that small private planes are the main cause of mid-air collisions?

According to FAA public records, in the past 41 years, seven accidents in which there were fatalities to persons aboard the airline aircraft have been collisions with private planes. Thirty-three other collisions have been either airliner to airliner or airliner to military.

Number One Priority—almost two years after the accident. Don't you think that if the news media and the politicians, with their editorials and speeches about air safety in San Diego—had leaned on the FAA and the Office of Management and Budget—that an ILS at Montgomery would have not taken two years? Are you really interested in solutions; or cosmetics?

What troubles me about this subject is that the facts I have related are no big secret. I don't have any inside sources of information. All of this information was available to the news media, either from the FAA, the NTSB, the Aircraft Owners and Pilots Association or from well-informed private pilots. Yet it was not used, or if mentioned was buried, and not explained. Why? Was it the preconceived notion of the news media that since it was an accident between an airliner and a small plane—that the small plane was automatically at fault? . . . when the real fault was in the system that lets billions of dollars sit in a trust fund—until a terrible tragedy breaks it loose.

I'd like to leave this grim subject and close with a couple of other examples:

I know a very competent professor of neurosurgery in Pittsburgh. He is engaged in some very valuable research—but he refuses to give interviews to the news media—because when he has, the story has been inaccurate, making him look foolish to his colleagues and giving incorrect information to the reader.

I know another doctor in the Bay Area who had some very sophisticated surgery, using new techniques which saved his life. While he was recovering, one of the papers interviewed him about his experience.

The story reported that one of his symptoms was that he went blind.

Not true. He told the reporter he had a visual field defect. That is not blindness.

The story also implied that he was involved with the development of the neurosurgical technique which eventually cured him.

That wasn't true either.

Where does all this leave me? I don't believe, nor have much faith in what government tells me. I don't believe the politicians. In my opinion, the one thing this country has which keeps us free and stable is our free press. I want to believe what I read and see and hear, but when I see stories that I know are wrong, I worry about what else I am reading that may be wrong—and I don't know it.

I want to believe you—but you aren't making it easy.

Thank you.●

CONTROVERSIAL DUE-ON-SALE CLAUSES

HON. NORMAN D. SHUMWAY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. SHUMWAY. Mr. Speaker, one of the lesser known and more technical aspects of the mortgage market is the so-called due-on-sale or acceleration clause which lenders frequently include in the notes for the conventional mortgage loans they make.

With a due-on-sale clause, the lender can call the balance of the loan due upon the sale of the home, thus effectively preventing assumptions, whereby the new homeowner takes over the mortgage payments of the seller. During periods of tight money, frequently the cheapest—and sometimes only—way for homebuyers to obtain reasonable financing is through assumptions.

Because of concern that lender's exercise of due-on-sale clauses was both an unreasonable restraint upon transfers, by preventing assumptions of mortgage loans at reasonable rates, and was anticonsumer, several States have passed laws which in varying degrees prohibit or restrict the enforcement of such clauses. My own State of California is one of these.

On August 7, the Federal National Mortgage Association (FNMA) advised the mortgage lending community that it would enforce due-on-sale clauses on all conventional loans closed on or before October 1, 1980, and subsequently sold to FNMA. Subsequently, on September 22, FNMA advised lenders that its evaluation of the options available to allow continued purchase of conventional mortgages in States where enforcement of the due-on-sale provision is prohibited or restricted by applicable law or court decision was not yet complete. Accordingly, FNMA has temporarily delayed its October 1 effective date to some uncertain future time.

Mr. Speaker, the issue of acceleration clauses is complex. While I recognize the financial considerations which prompted FNMA to decide to enforce these clauses, I must also point out that seller-held "creative financing" has as its goal precisely that of the underlying rationale for FNMA's existence—providing liquidity in the home mortgage market and facilitating homeownership. It would be unfortunate indeed if the Nation's largest supplier of liquidity in the mortgage market would act to deny supplemental liquidity by additional sources—sources that are completely private and require no government involvement of any kind.

Mr. Speaker, the conferees on H.R. 7262, the Housing and Community Development Act of 1980, have formally expressed their concern with the increasing use of due-on-sale clauses, and have articulated their recognition

of the fact that mortgage assumptions have proven an important resource for many homebuyers. Accordingly, the conferees directed the Secretary of Housing and Urban Development to conduct a study of due-on-sale clauses as they affect the assumability of residential mortgages. The Secretary's report is expected no later than April 1, 1981.

FNMA has already indicated that it will delay enforcement of due-on-sale clauses until a further evaluation of the situation has been completed. My resolution simply states that, in view of the complexity of this matter, and in view of the fact that a formal analysis will be provided to Congress next spring, neither the Federal National Mortgage Association nor the Federal Home Loan Mortgage Corporation (FHLMC) shall insist upon due-on-sale clauses until Congress has had an opportunity to review the matter. While FNMA and FHLMC are private corporations, they are nevertheless congressionally chartered and enjoy Federal financial support. It would seem only appropriate that they not embark upon a controversial policy which could affect millions of homeowners until Congress has had the opportunity to act if it so chooses. ●

WE NEED GREECE IN NATO NOW

HON. STEPHEN L. NEAL

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. NEAL. Mr. Speaker, both the United States and the North Atlantic Treaty Organization (NATO) appear to be on the verge of losing a long-term and trusted ally.

The nation of Greece, through its foreign minister, Constantine Mitsotakis, has served notice that Greece will be forced to withdraw "finally and irrevocably" from NATO and to take over American military bases in Greece if a new formula for Greek membership in the alliance is not found in the very near future.

Very explicitly, Mr. Speaker, we urgently need to find some way to facilitate Greece's reentry into NATO before next year's Greek elections. The reason, as explained by Mr. Mitsotakis, is that his Government's somewhat fragile coalition cannot afford to go into the elections with its NATO status unresolved, and our military bases still entrenched on Greek soil.

I realize that it is not within the power of the Congress to resolve this unwanted situation. It does seem to me, however, that we ought to consider our historic relationship with this great nation, which has given to the United States not only many of our democratic ideals, but, through emigration, some of our finest and most outstanding citizens. Apart from its contributions to NATO, we, the

United States, stand to lose four major and strategically important military bases in Greece, including two on the island of Crete that track Soviet movements in the eastern Mediterranean.

We know, Mr. Speaker, that Greece's reentry into NATO is being blocked by Turkey, which refuses to acknowledge Greece's insistence that its reentry include operational control of Aegean Sea and airlines as part of NATO's defense planning. It would seem to me, however, that the time is ripe for finding an accommodation between Greece and Turkey. Turkey at this time has a military government which not only understands the need for defense, but also seems not to be overpowered by internal politics. Greece, on the other hand, has in place a government which is very pro-West. It would seem, then, that conditions, while less than ideal, are favorable for working out this thorny problem.

The reentry of Greece into NATO would be good for Greece, good for Turkey, good for the United States, and good for the North Atlantic Treaty Organization. If it is not done now, however, we will be playing into the hands of forces in Greece which are hostile to NATO. If Greece reenters NATO, we and the alliance will retain the military advantages which Greece has afforded us, and it may be easier, also, to work out the Cyprus problem.

Mr. Speaker, in today's Washington Post there is an excellent article on this subject, and I include it in the RECORD at this point:

GREECE THREATENS TO CUT TIES TO NATO (By Jim Hoagland)

UNITED NATIONS, Sept. 30.—Greece will be forced to withdraw from NATO "finally and irrevocably" and to take over American military bases there if a new formula for Greek membership in the alliance is not found "within the next few weeks," Foreign Minister Constantine Mitsotakis warned today.

"We do not want to do it. We do not want to be De Gaulle," the Greek foreign minister asserted in an interview. "But Greece must return to the alliance, or it must withdraw its application for a return before the Greek elections next year."

Mitsotakis' remarks were the first explicit statement that his center-right coalition, headed by President Constantine Karamanlis, cannot afford politically to go into elections with the NATO question unresolved and American bases still on Greek soil. The election must be held by the autumn of 1981.

His comments also provided an extended public airing of private warnings that the Greeks have been sending to the Carter administration since June. These warnings appear to have intensified following last month's military coup in Turkey.

Mitsotakis said that he had conveyed the warning again this week in a discussion here with Secretary of State Edmund Muskie. Both men are attending the U.N. General Assembly's fall session.

The United States risks losing four major military installations in Greece, including a strategically important naval base and a regional electronic surveillance center that tracks Soviet movements in the eastern

Mediterranean. Both facilities are located on the island of Crete.

Greece and Turkey are deadlocked over Greek insistence that its reentry into the alliance include operational control of Aegean sea and air lanes as part of NATO's defense planning. Turkey's refusal to agree has blocked the unanimous decision needed from NATO members to readmit Greece.

Karamanlis' government withdrew from the alliance's military structure in 1974 to protest the failure by NATO and the Nixon administration to halt Turkey's invasion of Cyprus. Somewhat like France after Charles de Gaulle withdrew his nation from NATO in 1966, Greece has participated in the alliance's political activities and in limited maneuvers with NATO forces. Athens formally applied for readmission in 1976.

Diplomatic sources in Washington reported that Gen. Bernard W. Rogers, NATO's commander-in-chief, presented Greece and Turkey with a three-point formula earlier this month that would reintegrate Greece into NATO now and decide the Aegean dispute later.

Both sides reportedly agreed to this concept, but continued to dispute whether the eventual settlement would be based on the conditions that prevailed in 1974. Turkey feels that such an arrangement overly favors Greece.

U.S. officials concede that Greece has a legal right to terminate the bases agreement if it is not in NATO. But U.S. officials here with Muskie said they were "cautiously hopeful" that the deadlock could be broken and a crisis in Greek-American relations avoided.

But Mitsotakis appeared disappointed by what he heard from Muskie. The Greek diplomat carefully avoided characterizing the effect he thought the overthrow of Turkey's civilian government would have, but he underlined the urgency that he felt the military takeover has added to the dispute.

"It is crucial that the United States try to persuade Turkey to reach a solution in the next few weeks. The new military government will be taking a position during that time," Mitsotakis said, adding:

"We are not trying to set deadlines or employ blackmail, but this has to be settled well before the election campaign begins."

Turkey's ambassador to the United States, Sukru Elekdag, said in a telephone interview that there would be no change in Turkey's policy on the NATO issue and he asserted that Turkey had done everything it could to reach "an equitable solution. Greece should act reasonably now and not ask the United States to twist arms. We agree that Greece should be reintegrated into NATO, but we cannot accept the violation of NATO's own military principles."

Officials from the two Mediterranean nations said they were not sure when Rogers will make a new effort to reach an agreement.

Karamanlis' New Democracy Party and its allies expect a strong challenge from the left in next year's election, in which the presence of American military facilities probably will be a major issue.

Finally, Mr. Speaker, I would reiterate the traditional ties that we have had with Greece; its importance to the NATO alliance; and the strategic importance of United States bases on Greek soil. All these things augur for the reentry of Greece into NATO. I therefore urge my colleagues to impress upon the President and the Secretary of State the urgency of the situation, and to support them in the use

of their good offices in trying to facilitate Greece's reentry into NATO.●

**MAYOR LEM GEATHERS, OF
WINTER HAVEN, FLA.**

HON. ANDY IRELAND

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● **Mr. IRELAND.** Mr. Speaker, on October 15, Mayor Lem Geathers, of Winter Haven, Fla., will be retiring from elective office. While I am sure he will continue to play an active role in our community life, I would like to take this occasion to recognize the good works of this fine citizen of our State.

Lem Geathers has served our area in many different ways and in many different capacities, including his role as a member of the Winter Haven Hospital Board, city commissioner, and most recently mayor of Winter Haven.

As an educator, public official, concerned citizen, and as a human being, he has enriched the lives of his fellow citizens in countless ways, and our community is a better place because of his involvement.

I am sure all those who know him join me in congratulating him on a job well done.

Thank you, Mr. Speaker.●

**CONVENTION FOR ELIMINATION
OF ALL FORMS OF DISCRIMINATION
AGAINST WOMEN**

HON. MARY ROSE OAKAR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● **Ms. OAKAR.** Mr. Speaker, on my return from the Mid Decade World Conference on the UN Decade for Women, where I served as one of two congressional advisers, I briefly commented on the progress of the Conference which reached closure on July 31, 1980. In those remarks, I noted that one of the most significant accomplishments of the Conference, indeed, one of the most fundamental decisions of the decade, was our signing the Convention for Elimination of all Forms of Discrimination Against Women.

The convention clearly and comprehensively documents those standards of policy essential to the advancement of the status of women. Moreover, the convention has the potential to insure equality of participation for all peoples throughout the world. As of September 15, 1980, 77 countries, among them the United States, signed the convention. What remains to be accomplished is the President's examination of the interagency review process, followed by his submitting letters of transmittal to the Senate. The Senate Foreign Relations Committee is responsible for scheduling hearings to

consider ratification. Upon ratification and notification to the President, the procedure is complete.

The 700 or more women who have signed a petition distributed by the Continuing Committee of the National Women's Conference, urging the Senate of the United States to speedily ratify this treaty, punctuates the widespread support for the Commission. Mr. Speaker, in the interest of time and space, in lieu of including the entire text of the convention and the names of the women who have called for prompt consideration of the convention, I respectfully request that the preface of the convention be included in the RECORD. While we all realize that the signing of the convention in Copenhagen was an important first step, we cannot ignore the imminent requisite of ratification so as to insure the convention's maximum potential. On behalf of all women of America, I strongly urge the Senate's immediate consideration of the Convention for Elimination of all Forms of Discrimination Against Women. Text of the convention is as follows.

INTRODUCTION

A major step towards the attainment of the goal of equal rights for women was taken on 18 December 1979, when the General Assembly adopted the Convention on the Elimination of All Forms of Discrimination against Women. The 30-article Convention sets out in legally binding form internationally accepted principles and measures to achieve equal rights for women everywhere. Its adoption climaxed consultations over a five-year period by various working groups, the Commission on the Status of Women and the General Assembly.

The comprehensive Convention reflects the depth of the exclusion and restriction practised against women solely on the basis of their sex, by calling for equal rights for women, regardless of their marital status, in all fields—political, economic, social, cultural and civil. It calls for national legislation to ban discrimination; recommends temporary special measures to speed equality in fact between men and women, and action to modify social and cultural patterns that perpetuate discrimination.

Other measures provide for equal rights for women in political and public life; equal access to education and the same choice of curricula; non-discrimination in employment and pay; and guarantees of job security in the event of marriage and maternity. The Convention underlines the equal responsibilities of men with women in the context of family life. It also stresses the social services needed—especially child-care facilities—for combining family obligations with work responsibilities and participation in public life.

Additional articles of the Convention call for non-discriminatory health services to women, including services related to family planning; and a legal capacity identical to that of men, with States parties agreeing that all contracts and other private instruments that restrict the legal capacity of women "shall be deemed null and void". Special attention is given to the problems of rural women.

The Convention sets up machinery for the international supervision of the obligations accepted by States. A committee of experts, to be elected by States parties and serving in a personal capacity, will consider the progress made.

Opened for signature on 1 March 1980, the Convention will enter into force after 20 States have consented to be bound by its provisions, either through ratification or accession.

**CONVENTION ON THE ELIMINATION OF ALL
FORMS OF DISCRIMINATION AGAINST WOMEN**

The States Parties to the present Convention,

Noting that the Charter of the United Nations reaffirms faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women,

Noting that the Universal Declaration of Human Rights affirms the principle of the inadmissibility of discrimination and proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set forth therein, without distinction of any kind, including distinction based on sex,

Noting that the States Parties to the International Covenants on Human Rights have the obligation to ensure the equal right of men and women to enjoy all economic, social, cultural, civil and political rights,

Considering the international conventions concluded under the auspices of the United Nations and the specialized agencies promoting equality of rights of men and women,

Noting also the resolutions, declarations and recommendations adopted by the United Nations and the specialized agencies promoting equality of rights of men and women,

Concerned, however, that despite these various instruments extensive discrimination against women continues to exist,

Recalling that discrimination against women violates the principles of equality of rights and respect for human dignity, is an obstacle to the participation of women, on equal terms with men, in the political, social, economic and cultural life of their countries, hampers the growth of the prosperity of society and the family and makes more difficult the full development of the potentialities of women in the service of their countries and of humanity,

Concerned that in situations of poverty women have the least access to food, health, education, training and opportunities for employment and other needs,

Convinced that the establishment of the new international economic order based on equity and justice will contribute significantly towards the promotion of equality between men and women,

Emphasizing that the eradication of apartheid, of all forms of racism, racial discrimination, colonialism, neo-colonialism, aggression, foreign occupation and domination and interference in the internal affairs of States is essential to the full enjoyment of the rights of men and women,

Affirming that the strengthening of international peace and security, relaxation of international tension, mutual co-operation among all States irrespective of their social and economic systems, general and complete disarmament, and in particular nuclear disarmament under strict and effective international control, the affirmation of the principles of justice equality and mutual benefit in relations among countries and the realization of the right of peoples under alien and colonial domination and foreign occupation to self-determination and independence, as well as respect for national sovereignty and territorial integrity, will promote social progress and development and as a consequence will contribute to the attainment of full equality between men and women,

Convinced that the full and complete development of a country, the welfare of the world and the cause of peace require the maximum participation of women on equal terms with men in all fields,

Bearing in mind the great contribution of women to the welfare of the family and to the development of society, so far not fully recognized, the social significance of maternity and the role of both parents in the family and in the upbringing of children, and aware that the role of women in procreation should not be a basis for discrimination but that the upbringing of children requires a sharing of responsibility between men and women and society as a whole,

Aware that a change in the traditional role of men as well as the role of women in society and in the family is needed to achieve full equality between men and women,

Determined to implement the principles set forth in the Declaration on the Elimination of Discrimination against Women and, for that purpose, to adopt the measure required for the elimination of such discrimination in all its forms and manifestation.●

A TRIBUTE TO THE ANSELMO CLUB

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. OTTINGER. Mr. Speaker, on Friday, October 10, 1980, the Brothers Anselmo of Port Chester, N.Y., will hold their 35th annual reunion dance.

For over 35 years the Brothers Anselmo Club has served Port Chester and its surrounding communities in an effort to better the circumstances of their fellow man.

In 1946 the members of the Holy Rosary Parish formed the Brothers Anselmo Organization to honor the late and beloved teacher of this parish, Brother Anselmo, and 23 other parishioners who lost their lives in World War II.

The Brothers Anselmo have successfully contributed to the welfare of their parish and surrounding communities. This benevolent group of gentlemen has sponsored many athletic teams which have performed throughout the New York, New Jersey, and Connecticut area. However, the brothers' efforts do not stop here. An annual scholarship fund, set up by the Brothers Anselmo Club, has helped needy young parishioners further their education in Catholic schools throughout the country.

In helping to serve their community, the Brothers Anselmo have joined in many fine fundraising drives, among them: the Red Cross and Community Chest drives.

It has been said of the Brothers Anselmo that "they take it to be a privilege to do a favor and to be able to make some boys happy."

Mr. Speaker, after so many years of outstanding public service, this fine organization has shown itself to be exemplary and worthy of distinction. Its members set an example for all Americans.●

U.S. STANDS ALONE ON NUCLEAR POWER

HON. MARILYN LLOYD BOUQUARD

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mrs. BOUQUARD. Mr. Speaker, as the U.S. nuclear power program dwindles and is threatened with extinction because of the distorted information the American public has received on the risks of nuclear power, the rest of the world is moving ahead aggressively and openly with the development of this energy source. While many in the United States see nuclear power as an energy source of last resort, other nations see it as the key to meeting their energy demands over the near and long term, and believe that without it their security will be seriously threatened.

One day the American people will be rudely awakened to the deception that has been played on them. I only hope it happens sooner rather than later. We cannot build any kind of power plant over night; it takes a long time and a great deal of money. If we wait until our oil is cut off or the projected growth of solar energy is not met before we reverse our policy of suppression of nuclear power, then it will be too late and I fear for the consequences to our Nation and the world.

That we are being left behind by the rest of the world in the development of this important technology and the serious consequences of this unfortunate circumstance are succinctly described in a recent article in Time. The article summarizes the events at the 11th World Energy Conference in Munich, at which some 5,000 delegates representing 80 nations took a clear and resounding stand in favor of the rapid development of nuclear energy. I commend this article to your attention:

ATOM ADVOCATES—U.S. POLICY DRAWS HEAVY FIRE

Representing 80 nations, some 5,000 delegates to the eleventh World Energy Conference jammed Munich's giant Olympia Hall last week to listen to calls for action on developing new energy sources. For background reading, the delegates could peruse no fewer than 164 technical papers on subjects ranging from high-voltage energy transmission to windmill turbine technology. On one subject, however, the participants spoke with a single voice: the U.S. is out of step with the rest of the world in the development of nuclear energy.

Delegates from France, Britain and other countries soundly criticized the Carter Administration for holding back progress on the use of nuclear power. Franz Josef Strauss, who is challenging West German Chancellor Helmut Schmidt in next month's national elections, was the bluntest. "Whoever fails to take advantage of nuclear energy condemns himself to social backwardness," he said. "The future belongs to those countries that push ahead with nuclear energy."

Since the Three Mile Island accident 18 months ago, U.S. nuclear power development has been virtually shut down. Orders

for new facilities, which hit a high of 41 in 1973, have dropped to zero. By comparison, France, which has Europe's most ambitious nuclear program, has 16 reactors in operation, and extra 32 under construction and 13 more in planning. The Soviet Union currently generates 10% of its electricity from nuclear sources, and the present Five-Year Plan calls for construction of ten reactors a year. Pyotr Neporozhny, the Soviet Minister of Electric Power Development and Electrification, announced at the meeting that his country had recently made a major technical breakthrough toward nuclear fusion. If the Soviets could construct a successful nuclear fusion reactor, it would deliver about five to ten times the power of a now commonly used fission reactor.

Some of the loudest criticism of the U.S. came from representatives of developing countries. By the year 2020, they will be using as much energy as the developed world now consumes; but they have neither the money nor the resources to pay for expensive oil. Said Carlos Castro Madero, an official of the Argentine Atomic Energy Commission: "Every watt of energy the U.S. fails to produce by nuclear power must be produced by oil. Every barrel of oil burned by the U.S. is a barrel for which we must compete on the market, and this means higher prices."

Conference participants glumly noted that such clean and renewable energy sources as wind, sun and tides will not play a significant role in energy for decades. Meanwhile, nuclear energy and coal remain the only practical answers to an increasingly energy-hungry world. Coal, though, presents enormous investment, transportation and environmental problems. Its real potential is still being questioned. As antinuclear partisans demonstrated outside the hall, Edward Hennelly, former president of the American Nuclear Society, concluded: "I am not unaware of the dangers of nuclear energy, but these concerns are far outweighed by the inevitable international showdowns over energy when the shortage really hits."●

A TRIBUTE TO IRENA KUCHARZAK, A HEROIC WOMAN

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. WOLFF. Mr. Speaker, a constituent of mine, Mrs. Stefanie Seifert, has called to my attention the unselfish dedication of Irena Kucharzak, who saved the lives of Mrs. Seifert, her mother, and 11 other Jews during the Nazi tyranny in Poland.

Irena Kucharzak undauntedly put her life, and the life of her family in danger by providing shelter for these people, who were but strangers to her. From the years 1943 to 1945 she provided protection and well-being for these people, and helped them in obtaining passports so that they could leave the country.

Irena Kucharzak was recognized as one of the "Righteous Among the Nations" from Poland by the Commission for the Designation of the Righteous on November 11, 1969, and in Israel a tree was planted in the Memorial Garden at Yad Vashem, signifying her exceptional bravery.

It is vital that we not forget the accomplishments of Irena Kucharzak and others like her. It is significant that last week Congress overwhelmingly passed a resolution that will establish a U.S. Memorial Holocaust Council and provide them with the authority to erect a museum to the 6 million Jews who died as well as the other victims of the Nazi brutality. I am sure that Irena Kucharzak, along with myself and many others, can rest easier, knowing that the holocaust will be remembered, and that we will never let another holocaust happen again. ●

DR. ROY SMITH—50 YEARS OF SERVICE

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. ANDERSON of California. Mr. Speaker, it is very rare that any individual is so devoted to his craft that he will spend 50 years practicing it. But one of my constituents, Dr. Roy Smith, has been practicing the art of medicine since he first opened an office in San Pedro in 1930. In recognition of this laudable achievement and in appreciation of his many years of dedicated service, the San Pedro and Peninsula Hospital is hosting a dinner dance in Dr. Smith's honor on October 17.

Although born in Baker, Oreg., Roy Smith moved with his family to San Pedro in 1903. It was here that he was raised, and graduated from San Pedro High School in 1918. While continuing his medical studies, Dr. Smith joined the staff of San Pedro and Peninsula Hospital when it opened for service to the community in 1924. Dr. Smith left the south bay area for several years, time enough to receive his M.D. from the University of Louisville, in Kentucky, and intern at Rhode Island Hospital. It was at the hospital that Dr. Smith met and married his beloved wife, Blanche MacVicar.

Soon after they were married, this young couple returned to San Pedro, and Dr. Smith began his practice there in 1930. For 10 years he continued on this path, but in 1940 he felt it his duty to join the Naval Reserves, and was commissioned a lieutenant. During World War II, Dr. Smith served honorably in the South Pacific, and remained in the Navy until 1946, when he left with the rank of commander. He returned once again to San Pedro, and resumed his practice of medicine. He has continued to so ever since.

Mr. Speaker, Dr. Smith has been in practice for such a long time that it is safe to say that he probably has cared for most of San Pedro's residents at one time or another in their lives. His easygoing relationship with the many different ethnic groups in San Pedro has been greatly facilitated by his

fluent knowledge of Greek, Chinese, Spanish, and French. Since he also served 1 year as San Pedro Hospital's chief of staff, as well as honorary vice president of the Long Beach branch of the Los Angeles County Medical Association, Dr. Smith is eminently well versed in the health needs of the harbor area community. Also concerned with the economic well-being of his patients, Dr. Smith is a past president of the San Pedro Chamber of Commerce. And even the dinner given in his honor will benefit the community. Proceeds from this event will go to the hospital's family practice center fund, so that even those who are not in attendance at the dinner will feel the steady and caring hand of Dr. Roy Smith.

Dr. Smith's many other activities and memberships are well known. They include service to, among others, the American Legion, Veterans of Foreign Wars, the Al Malaikah Shrine Temple, and the Elks and Masons. Last, but certainly not least, is his membership in the American Medical Association, without which any doctor is like a fish out of water.

Mr. Speaker, Dr. Roy Smith is one of those unique men who gives of his time, knowledge, and many skills without a moment's hesitation. He has given of himself to his country, his neighborhood, his city, and family. I do not know when he plans on retiring, but should that occasion arise, the entire south bay will feel the loss of a highly dedicated and wonderful man. My wife, Lee, joins me in thanking Dr. Smith for all he has done for our community these many years. We wish Dr. Smith and his two sons, Robert and Richard, who are also doctors at San Pedro and Peninsula Hospital, many more years of success and happiness. ●

LEGISLATION TO INCREASE THE TAX CREDITS FOR COGENERATION EQUIPMENT

HON. JOSEPH L. FISHER

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. FISHER. Mr. Speaker, today Congressman HEFTTEL and I introduced legislation which is designed to promote greater energy conservation through the process known as cogeneration. Although it can involve a variety of techniques, cogeneration is essentially the production of two forms of energy from one source of fuel. It achieves its conservation potential to the extent that it eliminates the need for a second fuel source to produce the second form of energy.

Our bill will increase the energy tax credit available for cogeneration equipment from the present 10 percent to 20 percent. This is in addition to the investment tax credit of 10 percent which is available for all new equipment. Furthermore, this legisla-

tion refines the definition of cogeneration equipment which is eligible for the tax credit.

I believe that this legislation is important because it will focus attention on the need to foster energy conservation in general and on the potential for cogeneration in achieving this goal in particular. And the energy savings could be quite substantial. According to a recent studies cited in a Harvard Business School examination of this issue, over 20 percent of total industrial energy use in the United States could be saved through cogeneration investments that are economically sound. The tax credit available under this legislation could make the difference between what is an economically sound investment and what is prohibitively expensive for a business.

However, while recognizing the potential for cogeneration we must not put blinders on, either. Just as the production of alternate forms of energy will take several different routes—solar, synthetic oil and gas, biomass, geothermal, among others—so, too, there is not one all-encompassing path to conservation. Cogeneration has its primary value in the industrial and electric utility context. Residential users already have a number of tax credits available to them for improving home insulation and other home heating systems. It may soon be time to reexamine all of these tax credits to see if they are sufficient and in proper relation one to another. By introducing this legislation today, I am signaling my intent to have expanded cogeneration tax credits prominently featured in such a reexamination.

Finally, it is necessary to note that even with increased tax credits for cogeneration equipment, there must be regulatory changes as well if cogeneration is to achieve its full potential. It is my understanding that legislative proposals are now in the formative stage which will address this concern. I look forward with interest to the development and refinement of these proposals so that, along with the tax credits for cogeneration, a comprehensive approach to promoting the expanded use of cogeneration can become a reality. It is now time to tap what has been referred to as "Industry's North Slope." ●

THE DOMESTIC AND INTERNATIONAL HUNGER FOUNDATION

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. GILMAN. Mr. Speaker, today I am introducing legislation to establish the Domestic and International Hunger Foundation. This proposed organization is to be charged with the task of better informing the American people about the causes of and possi-

ble solutions to a problem which has a critical bearing on both our determination to fulfill our commitment to the humanitarian principles upon which our Nation was founded and our desire to insure our national security in the decades ahead. That problem is the scourge of hunger and undernutrition which plagues hundreds of millions of people throughout the world.

THE PROBLEM OF HUNGER AND THE WORK OF THE PRESIDENTIAL COMMISSION ON WORLD HUNGER

In my work as a member of The Presidential Commission on World Hunger, established by the President's Executive order of September 5, 1978, in response to a congressional resolution, my worst fears about the enormity of the problem and the immense suffering it brings to innocent children and adults were quickly confirmed. The consensus of those serving on the Commission, men and women who have devoted much of their professional and personal lives to seeking solutions to the hunger problem, was summed up as follows in the Commission's final report issued in March 1980:

Of all the challenges facing the world today, agreement by the nations of the world on the actions required of all countries to eliminate hunger may be most important, and may also provide the most promising basis for other international actions to assure world peace. By placing the elimination of hunger high on its national agenda, the United States will demonstrate a major commitment to undertaking one of the most important tasks facing mankind.

In its comprehensive report establishing poverty as the principal cause of hunger and undernutrition, the Commission established that hunger has many inter-related causes tied into numerous political, economic, and social problems. While explaining that a major crisis of global food supply—of even more serious dimensions than the present energy crisis—appears likely within the next 20 years, unless steps are taken now to facilitate a significant increase in food production in the developing nations, the Commission underscored its finding that increased food production will not occur, however, without a market and will not benefit hungry people unless they acquire the purchasing power to enter the market. Solutions to ending hunger and undernutrition, thus lay in great measure with efforts to assure more equitable access to food and the resources to produce food through the generation of employment and income.

As the Roman philosopher Seneca proclaimed some 2,000 years earlier: "A hungry people listens not to reason, nor cares for justice, nor is bent by prayers." I doubt that any of us could expect a people whose mothers and fathers are plagued by hunger, seeing their children famished and stunted by malnutrition, to act otherwise.

The Commission found that the United States should be concerned

about hunger because of moral obligation and responsibility and out of concern for national security. Traditional appeals to end hunger based on humanitarian concern are probably more familiar than the Commission's finding that promoting economic development in general, and overcoming hunger in particular, are tasks far more critical to the U.S. national security than most policymakers acknowledge or even believe. However, at a time when 750 million to 1 billion people suffer the physically and mentally debilitating effects of chronic undernutrition, hunger unquestionably becomes fused to the security concerns of our Nation and the entire international community because the deprivation experienced by the poor and hungry and those among them who can harness the indignation borne of being without the means to purchase or grow one's needed food, portends an explosive instability which will intensify during the next several decades. I might add that while our Commission was completing its report, the Independent Commission on International Development Issues, chaired by Willy Brandt, former Chancellor of the Federal Republic of Germany, concluded its own study which attached a similarly high priority to ending the world hunger problem.

The Commission noted also, in its findings about hunger and malnutrition in the United States that:

While progress has been made in reducing the incidence of hunger and malnutrition in the United States, certain segments of the population of the United States, notably among native Americans, migrant workers, and the elderly remain vulnerable to malnutrition and related diseases.

THE NEED FOR PUBLIC EDUCATION

In addition to compiling a report identifying the causes of hunger and malnutrition, assessing past and present national programs and policies that affect hunger and malnutrition, and recommending to the President and Congress specific actions to create a national food and hunger policy, the Commission was charged by its mandate with undertaking a second phase of operations: helping to implement its recommendations and to focus attention on food and hunger issues through various public education activities.

The Commission's public education activities reached out to a broad cross-section of the American public including individuals, private voluntary organizations, the academic community, religious groups, consumer and labor organizations, and the private corporate sector. Numerous Commission publications were distributed, public hearings held, teaching materials developed, and efforts undertaken to involve constituency groups in learning about the causes and nature of and the possible solution to hunger.

Two public opinion polls conducted for the Hunger Commission demonstrated that the American people

show strong public support for maintaining and even increasing U.S. assistance to the world's hungry. These public opinion surveys indicate, however, that there is a need to educate the American public about the complexities of hunger, the scale of the problem, and the realities of U.S. involvement because hunger seldom captures widespread public attention except in times of crisis or dire emergency.

At the Commission's final meeting, June 16, 1980, widespread agreement emerged that the Commission's public education campaign, while significant, had fallen short of the Commission's expectations. Strong support was demonstrated for followup public education activities, including the Commission's recommendation that Congress authorize funds to establish an organization to educate and inform the American public about world hunger.

The Commissioners noted that although the Commission would soon terminate, the problem of hunger was still very real, very critical. And while the Commission's public education activities revealed a concerned citizenry, the Commission could not, with the time and resources it was allotted, disseminate on a wide enough basis its findings and the reasons for its urgent appeal for action against hunger.

THE DOMESTIC AND INTERNATIONAL HUNGER FOUNDATION

Mr. Speaker, consultations with those serving on the Presidential Commission and with others who have worked long and hard on the problem of hunger and malnutrition has convinced me that we must continue our efforts to inform the American people about hunger and the serious implications it has for our Nation.

To achieve this objective, I propose the establishment of the Domestic and International Hunger Foundation. The Foundation's major functions would include: One, conducting, sponsoring, and otherwise supporting conferences, seminars, and workshops on matters pertaining to world hunger; two, developing reference materials dealing with world hunger which would be appropriate for elementary, secondary, and college level study; three, providing assistance for research and studies on the world hunger problem and the public perception of this problem; four, maintaining a speaker's bureau of individuals to discuss issues relating to world hunger; five, monitoring the implementation of the recommendations of the Presidential Commission on World Hunger; six, publishing and otherwise disseminating the results of hunger related research, studies, or investigations; seven, participating in the international exchange of learned publications and materials on hunger and retaining copies of such publications and materials for public access and review; eight, conducting symposia for interested individuals and representatives or organizations in order to explore

means by which joint initiatives to alleviate world hunger could be undertaken; and nine, maintaining for public access an inventory of country and community requests for assistance in developing and implementing development assistance projects.

The Foundation's Board of Directors would be appointed by the President, by and with the advice and consent of the Senate. An Advisory Board of individuals representing a broad spectrum of public concerns relating to hunger would be selected to assist the Foundation in its activities. A modest budget would be authorized for the Foundation; a budget representing our Nation's first real commitment to informing the American people about the many dimensions of a problem which has and will continue to have a significant impact upon the lives of all our citizens * * * in this decade and in future decades.

Accordingly, Mr. Speaker, I urge my colleagues to support this legislation which I submit on behalf of all Americans committed to ending the hunger and undernutrition that claims the lives and productive potential of hundreds of millions of our fellow citizens throughout our Nation and throughout the world.

Mr. Speaker, I request that the complete text of this legislation be inserted at this point in the RECORD:

H.R. 8254

A bill to establish the Domestic and International Hunger Foundation

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Domestic and International Hunger Foundation Act".

FINDINGS

SEC. 2. The Congress finds that—

(1) hunger and chronic undernutrition remain daily facts of life for hundreds of millions of people throughout the world;

(2) while progress has been made in reducing the incidence of hunger and malnutrition in the United States, certain segments of the population of the United States, notably among native Americans, migrant workers, and the elderly, remain vulnerable to malnutrition and related diseases;

(3) it is imperative that our Nation's policies be consistent with the right of every person in this country and elsewhere to a nutritionally adequate diet as outlined in the Right-to-Food Resolution of 1976;

(4) as the world's largest producer, consumer, and trader of food, the United States has a key role and responsibility in any effort to combat world hunger, and no significant progress is likely to be made without the active and wholehearted participation of the United States in efforts to assist nations and people to improve their capability to feed themselves;

(5) the world hunger problem is far more critical to the national security of the United States than most policymakers acknowledge or believe;

(6) a major global food supply crisis of even greater dimensions than the present energy crisis appears likely to occur within the next 20 years unless steps are taken to facilitate a significant increase in food pro-

duction and to restructure the means by which food and the resources and technology needed to produce food are distributed;

(7) efforts to meet the rising global demand for food must take into consideration the limited nature of such resources as land, water, and energy, and the possible adverse effects which certain methods utilized to increase food production may have upon these resources;

(8) while world hunger has many interrelated causes, the central and most intransigent cause is poverty;

(9) gains in productivity must not be mistaken for nor subordinated to the goal of assuring more equitable access to food and the resources to produce food through the generation of employment and income;

(10) surveys indicate that the American people strongly support maintaining and even increasing efforts of the United States to eliminate world hunger; however, because hunger seldom captures widespread public attention except in times of catastrophe or dire emergency, it is necessary to further educate the American public about the complexity and scale of the world hunger problem, and the reasons why even greater United States involvement is required; and

(11) present efforts to increase public awareness of the world hunger problem and hunger-related issues fall far short of what is required.

ESTABLISHMENT

SEC. 3. (a) There is established a corporation to be known as the Domestic and International Hunger Foundation (hereinafter in this Act referred to as the "Foundation").

(b) The Foundation shall establish its principal office in the District of Columbia.

FUNCTIONS

SEC. 4. In order to alleviate the problems of world hunger and malnutrition, the Foundation shall—

(1) inform the American public about the causes of and possible solutions to such problems by—

(A) conducting, sponsoring, and otherwise supporting conferences, seminars, and workshops on matters pertaining to world hunger;

(B) developing and, upon request, providing reference materials dealing with world hunger which would be appropriate for use at the elementary school, secondary school, and college levels;

(C) providing assistance for research and studies on the world hunger problem and the public perception of this problem; and

(D) maintaining a speakers bureau of individuals to discuss issues relating to world hunger;

(2) monitor the implementation of the recommendations of the Presidential Commission on World Hunger, made in accordance with Executive Order 12078 (dated September 5, 1978);

(3) publish and otherwise disseminate the results of hunger-related research, studies, or investigations deemed appropriate by the Foundation;

(4) participate in the international exchange of learned publications and materials on hunger, and retain, if appropriate, copies of such publications and materials for public access and review;

(5) conduct symposia for interested individuals and representatives of organizations in order to explore means by which joint initiatives to alleviate world hunger could be undertaken; and

(6) maintain for public access a list of humanitarian organizations, governments of developing countries, and States or local units of government in the United States, requesting financial or other assistance in hunger or development assistance projects.

POWERS

SEC. 5. The Foundation—

(1) shall have perpetual succession unless dissolved by an Act of Congress;

(2) may adopt, alter, and use a corporate seal, which shall be judicially noticed;

(3) may sue and be sued, complain, and defend, in its corporate name in any court of competent jurisdiction;

(4) may make and perform such contracts and other arrangements as may be necessary for carrying out the functions of the Foundation;

(5) shall prescribe the manner in which its obligations shall be incurred and its expenses allowed and paid;

(6) may employ and fix the compensation of not to exceed 70 persons at any one time;

(7) may lease, purchase, or otherwise acquire, own, hold, improve, use, dispose of, and otherwise deal in and with such real or personal property or interest therein as may be necessary for carrying out its functions;

(8) may accept money, property, and services of any kind by gift, devise, bequest, grant, or otherwise;

(9) may use the United States mails in the same manner and on the same conditions as the Executive departments of the Federal Government;

(10) may, with the consent of any agency of the United States, use the information, services, facilities, and personnel of that agency in carrying out its functions;

(11) may procure the services of experts or organizations thereof in accordance with section 3109 of title 5, United States Code; and

(12) shall have such other powers as may be necessary or incident to carrying out its functions.

BOARD OF DIRECTORS

SEC. 6. (a) The management of the Foundation shall be vested in a board of directors (hereinafter in this Act referred to as the "Board"), which shall direct the exercise of all powers of the Foundation.

(b)(1) The Board shall be composed of 7 members who shall be appointed by the President, by and with the advice and consent of the Senate.

(2) One member of the Board shall be designated by the President to serve as Chairperson of the Board and another member of the Board shall be designated by the President to serve as Vice Chairperson of the Board. Each person designated as Chairperson or Vice Chairperson shall be so designated for the term of such person's appointment to the Board.

(3) Except as provided in paragraphs (4) and (5), members of the Board shall be appointed for 7-year terms.

(4) Of the members first appointed to the Board—

(A) the member designated as Chairperson shall be appointed for a 7-year term,

(B) the member designated as Vice Chairperson shall be appointed for a 6-year term,

(C) one member shall be appointed for a 5-year term,

(D) one member shall be appointed for a 4-year term,

(E) one member shall be appointed for a 3-year term,

(F) one member shall be appointed for a 2-year term, and

(G) one member shall be appointed for a 1-year term.

(5) A vacancy on the Board shall be filled in the manner in which the original appointment was made. Any member appointed to fill a vacancy occurring before the expiration of the term for which such member's predecessor was appointed shall be appointed only for the remainder of such term. A member may serve after the expira-

tion of such member's term until a successor to such member has taken office.

(c) The Board shall meet at any time pursuant to the call of the Chairperson or as may otherwise be provided by the bylaws of the Foundation. A majority of the Board shall constitute a quorum, and no action may be taken by the Board except by majority vote of all members of the Board. The Board shall adopt, and may from time to time amend, such bylaws as are necessary for the proper management and functioning of the Foundation.

(d) Members of the Board shall receive no compensation for their services as members of the Board, but may be reimbursed for actual and necessary expenses not exceeding \$100 per day, and for transportation expenses, while engaged in their duties on behalf of the Foundation.

(e)(1) The Chairperson—

(A) shall be the chief executive officer of the Foundation, and

(B) shall not engage in any other business, vocation, or employment during that person's period of service with the Foundation.

(2) The chief executive officer of the Foundation shall receive compensation at a rate not to exceed that payable for level IV of the Executive Schedule under section 5315 of title 5, United States Code.

ADVISORY COMMITTEE

Sec. 7. (a) There is established an advisory committee to the Board for the purpose of advising the Foundation with regard to the objectives and activities of the Foundation.

(b)(1) The advisory committee shall be composed of 20 members as follows:

(A) the Secretary of State, the Secretary of Agriculture, and the Director of the International Development Cooperation Administration;

(B) two members appointed from the House of Representatives by the Speaker of the House of Representatives;

(C) two members appointed from the Senate by the President pro tempore of the Senate; and

(D) thirteen individuals appointed by the President from academic institutions, labor groups, consumer interest groups, and the private corporate sector, with at least one individual to be appointed from each of those groups.

(2)(A) Individuals appointed under paragraph (1)(D) shall be appointed for 4-year terms.

(B) Members of the House of Representatives and Senators appointed under paragraph (1) shall be appointed to serve until the Congress succeeding the Congress from which such Member or Senator was appointed first assembles.

(C) The provisions of section 6(b)(5) shall apply with respect to members of the advisory committee.

(c) The advisory committee shall meet with the Board upon the request of the Board, but not less than semiannually.

(d) The Board shall, after consultation with the advisory committee, provide the advisory committee with such professional, secretarial, and other services as the Board deems necessary for the advisory committee to carry out its functions under this Act.

(e) Members of the advisory committee shall receive no compensation for their services as members of the advisory committee, but shall be entitled to reimbursement in accordance with section 5703 of title 5, United States Code, for travel and other expenses incurred by them in the performance of their functions under this Act.

NONPROFIT CORPORATION; CONFLICT OF INTERESTS

Sec. 8. The Foundation shall be a nonprofit corporation and shall have no capital

stock. No part of its revenue, earnings, or other income or property shall inure to the benefit of its directors, officers, or employees, and such revenue, earnings, or other income or property shall be used for the carrying out of the functions of the Foundation. No director, officer, or employee of the Foundation shall in any manner directly or indirectly participate in the deliberation upon or the determination of any question affecting such individual's personal interests or the interests of any corporation, partnership, or organization in which such individual is directly or indirectly interested.

AUTHORIZATION OF APPROPRIATIONS

Sec. 9. There are authorized to be appropriated to carry out this Act not to exceed—

- (1) \$1,500,000 for the fiscal year ending September 30, 1982;
- (2) \$3,500,000 for the fiscal year ending September 30, 1983; and
- (3) \$5,000,000 for each fiscal year thereafter.

REPORTS

Sec. 10. The Foundation shall transmit to the Congress each year a report on its activities in carrying out this Act during the preceding year.

GOVERNMENT CORPORATION CONTROL ACT

Sec. 11. The Foundation shall be subject to the provisions of the Government Corporation Control Act (31 U.S.C. 841 and following) relating to wholly owned Government corporations.●

TAX INCENTIVES FOR COGENERATION

HON. CECIL (CEC) HEFTTEL

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. HEFTTEL. Mr. Speaker, today I am pleased to join with my distinguished colleague from Virginia, Congressman FISHER, in introducing legislation which we feel will have a significant impact on our Nation's energy conservation effort. This bill would amend the Internal Revenue Code of 1954 to increase the tax incentives for investment in cogeneration equipment. Specifically, the legislation would:

Increase the present business energy tax credit for cogeneration equipment to 20 percent and extend the termination date for this credit to 1990;

Extend energy tax credit eligibility to mechanical shaft power;

Extend the tax credit to cover certain cogeneration equipment installed in new facilities; and,

Make eligible for the energy tax credit those cogeneration facilities exempted from the provisions of the Powerplant and Industrial Fuel Use Act of 1978.

Mr. Speaker, the United States is faced with an energy problem of unprecedented dimensions. As the present war between Iraq and Iran clearly demonstrates, our Nation is perilously dependent on highly unstable and uncertain foreign supplies of oil. Energy now has a direct and significant impact on our foreign policy and our domestic economy. It is essential then

that strategies be devised and implemented to deal with the energy problem in the short term. We feel that a cornerstone of any energy strategy must be increased industrial conservation. Since American industry consumes almost 40 percent of all energy utilized in the country, we believe that an aggressive energy conservation effort in the industrial sector is essential to our Nation's energy future.

Mr. Speaker, cogeneration is perhaps the most important and readily accessible source of industrial conservation in the near term. The highly acclaimed work, "Energy Future," by Harvard Professors Daniel Yergin and Robert Stobaugh, describes cogeneration as "industry's North Slope." Very simply, cogeneration is the production of two forms of useful energy from one fuel source, leading to a more efficient use of the primary energy. A number of studies estimate that perhaps over 20 percent of total industrial energy presently used in the United States could be saved through cogeneration. Our European allies are already effectively using this conservation technology. For example, cogeneration accounts for approximately 27 percent of all electric power used in West Germany, as compared with less than 5 percent in the United States. Interestingly, the United States once relied on cogeneration for a significant measure of its electricity needs. In 1922, for example, 22 percent of all our electricity came from industrial cogeneration. However, declining electricity prices and inexpensive oil led to a marked decline in the role cogeneration played.

Mr. Speaker, it is important that we provide both tax and regulatory incentives to once again establish cogeneration as a major energy-saving technology. Our bill represents a first step toward a greater Federal effort to this end. We look forward to working with you and our colleagues in fashioning a comprehensive energy policy in which cogeneration occupies a major role. Our current energy dilemma requires no less than our full commitment to this challenge.●

ANNIE BUNKER'S 100TH BIRTHDAY

HON. JIM SANTINI

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. SANTINI. Mr. Speaker, most people know my hometown of Las Vegas only as the neon-lit, glittering gambling capital they see on television. Few, including me, can remember when it was just a few ranches along a dusty trail in a southern Nevada valley.

One who does remember is Annie Elizabeth Mathews Bunker, who celebrates her 100th birthday on October 7, in Las Vegas. She was born in 1880

in Panaca, Nev., when the largest city in the southern end of the State was not Las Vegas but Moapa, not far from such boomtowns as Delamar, Pioche, St. Thomas, and Gold Bluff.

One of the first jobs she remembers was in Spencer's store in Bunkerville, where one part consisted of filling quart bottles with whisky from a large barrel:

Mr. Spencer would charge two prices, Annie says. One at \$5 per quart for good and one at \$6.50 for better. The only trouble was that I'd fill both from the same barrel.

Soon after her arrival in Bunkerville Annie traveled to St. George, Utah, for a ball game. Needing a ride home she and another girl went to the home of Hector McQuarrie, whose nephew drove the mail between St. George and Bunkerville. The nephew agreed to take the two ladies with him in the morning on his buckboard. When they left, Robert Bunker told his mother that he had just met the girl he would marry.

Annie only remembers the ride between St. George and Beaver Dams, Ariz.

We hardly spoke a word to each other along the trail, but after awhile we came to a steep wash. Robert said he was taking a short cut, but what he did was dump both us girls out and roll the wagon.

After the accident the two began to talk more freely and the rest of the ride was most pleasant. They were married on December 20, 1904, in the St. George LDS Temple.

The couple and their growing family moved several times in the ensuing years, eventually settling down in St. Thomas, where the next 10 years went by peacefully, but if Annie and Robert did not want to move their family again, fate had a different idea.

With the construction of Boulder Dam, it became apparent that the town of St. Thomas would soon be submerged under Lake Mead. The Federal Government bought the land from the locals and the family, for the last time, resettled, this time in Las Vegas.

Since Robert died in 1975 at the age of 92, Annie has lived with her younger sister, Margaret, who is just a "kid" at 94. Perhaps most of all Annie is proud of her family. Besides her 5 children, she has 21 grandchildren, 54 great-grandchildren and 1 great-great-grandchild, and she always has a cracker or treat for the little ones when they come to visit her.

When asked about the tendency in her family for long lives Annie just grins and says, "The secret to long life is that good old Panaca water."

I guess, Mr. Speaker, a century in southern Nevada is proof enough.●

PRICE HILL CIVIC CLUB CELEBRATES 65TH ANNIVERSARY

HON. THOMAS A. LUKEN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. LUKEN. Mr. Speaker, I am delighted to announce that the Price Hill Civic Club, representing the residents of the Price Hill section of Cincinnati's west side, is celebrating its 65th anniversary this year.

The Price Hill Civic Club was formed as the Price Hill Businessman's Club on September 22, 1915, following the dissolution of two earlier businessmen's associations. The organization changed its name to the civic club in 1939 as a reflection of its dedication to community service.

And indeed, through the years the projects sponsored by the civic club and its other contributions to the Price Hill community have been too numerous to list in full. However, among the more notable achievements are the following:

Furthering the cause of a public high school in Price Hill, resulting in the establishment of Western Hills High School;

Proposing the Eighth Street viaduct, which became the major approach route to Price Hill;

Spurring the establishment of the Rapid Run Park;

The promotion and construction of the Western Hills viaduct and the Sixth Street viaduct;

The organization of the Price Hill Community Center;

The establishment of the Price Hill Coordinating Council—later known as the Western Hills Civic Planning Council;

The reconstruction and dedication of Grand Avenue;

The establishment of a swimming pool at Dempsey Park;

Participation in the Dunham Steering Committee, resulting in the construction of the Dunham Recreation Complex;

Spurring the formation of the Price Hill Community Study Group, which developed the Price Hill Community Plan; and

Sponsorship of Price Hill Day for 65 years.

The civic club continues to work for the improvement of the Price Hill community. The club is now advancing the implementation of the Price Hill plan and pushing for the establishment of a new community recreation center, in addition to its other activities.

Mr. Speaker, the Price Hill club deserves the congratulations of all of us for its 65 years of dedication to community service and for its long record of successful community development projects. This fine organization has presented a wonderful example of the

benefits to the community arising from cooperation between the Government and the private sector.●

OUR LADY OF MERCY CHURCH CELEBRATES 50TH ANNIVERSARY

HON. GERALDINE A. FERRARO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Ms. FERRARO. Mr. Speaker, on Sunday, October 5, Our Lady of Mercy Church in Forest Hills, N.Y., will celebrate a special liturgy on the occasion of the church's 50th anniversary. Sunday's service is the final celebration of a week of events including a local theater group's presentation of "Godspell" and an old-fashioned church picnic. Bishop Mugavero will officiate at the service of rededication.

I would like to briefly summarize Our Lady of Mercy's contributions to the community. The original church, a white clapboard structure, was finished in 1930, and its doors opened to the people of Forest Hills. Eight years later, services were moved to a new building, where they are still offered today. The church's membership has now grown to 1,300 people, and the adjoining elementary school is attended by 350 children.

Our Lady of Mercy has an active Senior Citizens Center, as well as a Holy Name Society and Rosary Society. As the provider of these community services, Our Lady of Mercy is more than just a place of worship for the community. It is a center of social, educational, and spiritual growth for the people of Forest Hills. I know that my neighbors are proud to celebrate this 50th anniversary of the church, and I am certainly delighted to be a part of the celebration. As Rev. John Johnston, the pastor of Our Lady of Mercy recently put it: "This anniversary is an affirmation of the splendid people of Forest Hills—our parishioners and our neighbors of all faiths—coming together in a community we all love." I take pride in representing this fine parish.●

GENERAL REVENUE SHARING

HON. DAVID F. EMERY

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. EMERY. Mr. Speaker, general revenue sharing is undoubtedly the most effective, efficient Federal grant program in the entire bureaucracy. At midnight yesterday, the congressional leadership let revenue sharing die. Not only will the failure of the leadership to bring the reauthorization legislation to the House floor cause undue hardships for many of our communities, the untimely death of the pro-

gram will long be remembered as a serious breach of faith between the Federal and local units of governments. For those of us who have long supported general revenue sharing, the inability to debate the pros and cons of the 1981 reauthorization bill prior to the expiration date was an especially frustrating experience.

I realize that anticipated fourth quarter checks will be mailed next week, and that the scheduled lame duck session in November allows ample time for reauthorization before the first round of fiscal year 1981 revenue sharing. Unfortunately, the action—or inaction—of the House during the past few weeks will do nothing to ease the minds of State and local officials throughout the country. City councils all over America are struggling to prioritize budgets in an atmosphere already complicated by devastating unemployment and inflation. Additionally, the laudable balanced budget mandates imposed on most locals prevent them from planning expenditures with revenue-sharing funds they have no assurance will be available next January.

The State and Local Fiscal Assistance Amendments Act—H.R. 7112—was reported from the Government Operations Committee on September 4. Given the repeated early adjournments for baseball games, fundraisers, and other functions, I will find it a little difficult to explain the death of revenue sharing to my constituents. I have gone on record in support for the general revenue-sharing program and against the House leadership's decision to delay action on the reauthorization. Let me now take this opportunity to respectfully request that you bring the State and Local Fiscal Assistance Act to the floor as the first order of business when the House reconvenes on November 12, 1980.●

GRAND PORTAGE LODGE AND CONFERENCE CENTER

HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. OBERSTAR. Mr. Speaker, today is a special day for all Indian people in the State of Minnesota. On this day, the Grand Portage Reservation will take on the ownership and control of the Grand Portage Lodge and Conference Center at Grand Portage, Minn. Many months of hard work and perseverance have gone into making this business venture possible. I would like to share with my colleagues the text of my remarks which will be delivered at the ceremony marking this event:

I am greatly honored to be invited to join the Grand Portage community on this historic occasion and equally disappointed that I cannot be with you in person, though I am most certainly among you in spirit. The

House of Representatives is in session today, which will keep me from joining you.

Today we mark the beginning of what promises to be an exciting business venture in Minnesota's oldest community.

Today, the Grand Portage Reservation will assume the full management and responsibility of the newly named Grand Portage Lodge and Conference Center.

This achievement is a bold step on the road to self-determination of the Indian people who will own and operate this hotel facility. It also demonstrates what can be accomplished when Indians and non-Indians work together, hand-in-hand, to support their local community.

This Lodge was built 5 years ago as the first major project of the Grand Portage Development Corp. of the Reservation Business Committee.

Since its establishment, it has been instrumental in stimulating economic growth in this part of the State. Last year, over 130 members of the community—half of whom were Indian—were able to secure employment because of the Lodge. Total earnings from employees and purchases of supplies and services brought an estimated one-half million dollars into Cook County and its surrounding area.

Because of its proximity to Canada, the Lodge has also encouraged travel into the United States and has enhanced our ties with our friendly northern neighbor.

Over the next year, the Lodge will be increasing its function as a Conference Center for public and private meetings and workshops.

The new management which steps in today can be proud to be taking a leadership role in these efforts which will benefit the social and economic well-being of this entire region.

To quote from the Bimadisiwin, Grand Portage is "Blessed as a natural meeting place with natural beauty from rain forest loveliness to breathtaking mountain heights." Resting at the tip of Minnesota's Arrowhead Country, Grand Portage is surrounded by 45,000 of the most magnificent acreage to be found anywhere.

In the days of early exploration, this was the site of the "rendezvous" where hunters and fur trappers would gather once a year to exchange tales of adventure in an atmosphere of high spirit and comradery.

On these same shores of Lake Superior, this new Lodge and Conference Center will continue that tradition by providing a modern rendezvous point where Americans, Canadians and peoples of all nationalities can congregate for business and recreation.

The high quality of this first class hotel is truly representative of the many people who have strived for its continued success. A principal factor in that success has been U.S. Economic Development Administration, which has funded this project and nurtured its growth from the very outset. EDA, and particularly Deputy Administrator George Karras, had the vision to appreciate the potential of this venture, the courage to make the financial investment and both the wisdom and the patience to allow the Indian people a full measure of opportunity to carry out this experiment in self-determination.

I would like to commend the people of this community, the people of Cook County in general, the local businesses and our Canadian friends for their cooperation which has enabled us to share in this happy event. To the new management of the Grand Portage Lodge and Conference Center and to the Grand Portage Reservation, I wish you good luck and lasting success in your new endeavor.●

**MERCHANT MARINE CAPT.
EDWARD WATSON: A BLACK IMMIGRANT'S DREAM COMES TRUE**

HON. STEPHEN J. SOLARZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. SOLARZ. Mr. Speaker, I would like to bring to the attention of my colleagues the success story of a fellow Brooklynite, Capt. Edward Watson, who now commands the SS *Export Courier*, a 10,000-ton merchant ship owned by Farrell Lines.

Coming to the United States from Grand Cayman Island in the Caribbean in 1946, Ed Watson began his career as an ordinary seaman. After serving in the Army and becoming a U.S. citizen, he returned to the merchant marine where by dint of hard work and study he moved up through the ranks to reach his goal, becoming a captain in the U.S. merchant marine. Captain Watson, like so many other Americans, refused to give up or believe that his goal was impossible because of his race. With the support of his family and coworkers in the National Maritime Union and in the Masters, Mates, & Pilots Union, may his story serve as an inspiration to other young men of all races and creeds.

Mr. Speaker, I insert the following article in the RECORD:

[From the Frederick (Md.) Post, Sept. 9, 1980]

CAPT. EDWARD WATSON: HIS BOYHOOD DREAM THAT GREW INTO REALITY

(By John Metelsky)

When young Edward Leroy Watson strolled the sandy beaches on Grand Cayman Island, he dreamed of being a seaman, or a mate or even a captain on an American ship.

It was a big dream in the 1940's for a small black boy on a tiny Caribbean island. His father, a cook on a schooner, sympathized with the boy's dream and urged his son to study mathematics, a basic requirement for navigation.

But there were no educational opportunities in the Caymans, three obscure islands smaller than Brooklyn, N.Y. These flat islands, 500 miles south of Miami and 180 miles northwest of Jamaica, are not in the mainstream of world events.

The islanders, descendants of Scottish farmers, buccaneers and shipwrecked sailors speak English with noticeable Scottish overtones. These rugged people are noted for their honesty and integrity, are some of the most reliable and determined seamen of the world.

Displaying traditional determination, Watson, after completing East End Grammar School on Grand Cayman, got his first job as a sailor on a 50-foot schooner, the *Jimson*. The tall, slender youth taught the captain's young children reading, writing and arithmetic.

An eager and energetic sailor, Watson learned basic seamanship and became an expert in splicing, rigging sails, steering the ship and tying knots. He soon "knew the ropes."

"At that time, I yearned to see America," Watson recalls, "so in 1946 I caught a banana boat to Tampa. Then I went to New

York to visit my uncle, a former patrolman with the National Maritime Union (NMU), a union for seamen."

With a little help from his uncle Watson shipped out as an ordinary seaman on the S.S. *Exanthia*, an American Export Lines freighter bound for the Mediterranean.

"After we docked at my first port, Genoa, I celebrated my 18th birthday like a true sailor—with my shipmates in a friendly Italian bar," he reminisces.

When the ship returned to New York, Watson faced a major shipping strike. "Shipping was tough," he says. "I couldn't get a job on an American ship, so I sailed Panamanian ships as an Able Seaman from 1947 to 1951."

To make ends meet, between ships, Watson grabbed any job he could get. Sometimes he worked as a "kitchen man" in a hotel restaurant in Greenwich, Conn., or a dishwasher in a restaurant near the NMU hall on West 17th Street in New York City.

"In 1951," he says, "I was drafted into the U.S. Army, where I learned a lot about America and Americans from the people I met from all over the United States."

While in the army, Pvt. Watson learned to type and, heeding the advice his father had given him, studied math, still clinging to his boyhood dream.

After being honorably discharged from the army in 1953, Watson "went straight to the U.S. Immigration Office to apply for U.S. citizenship." He was sworn in as an U.S. citizen on May 12, 1953. "Citizenship is the key to everything in America," he says.

Now an American citizen he returned to the NMU hall and sailed as an Able Seaman on many ships, visiting dozens of countries. Aboard ship, he studied navigation on his own.

In 1961, he saved \$250 and enrolled in the Bowen Navigation School in New York City. After intensive study, he passed the U.S. Coast Guard examination and, in December 1962, was awarded Third Mate's license, and became an officer in the U.S. Merchant Marine.

Third Mate Watson immediately rushed over to the officer's union—the Masters, Mates and Pilots—and got his first job as a Night Mate in port on the S.S. *Export Builder* in Baltimore.

A few months later, he shipped out on the S.S. *Export Ambassador* as a Junior Third Mate, the lowest-ranking deck officer on the ship, but still an officer.

"I sailed with Export Lines for 18 months," he recalls, "then ended up back in the MMP union hall. The problem was that, although many black seamen had Third Mate licenses, they could not get assignments in that rank."

Then in July 1964, when President Lyndon Johnson signed the historic Civil Rights Act, Watson joined Farrell Lines as a Third Mate and has stayed with the company ever since.

Farrell Lines, the second-largest privately-owned shipping company in America, operates 27 ships and provides jobs for more than 1,000 seamen and officers. Their ships transport cargo to and from the United States, Australia, New Zealand, Northern Europe, Africa, the Mediterranean and South Asia.

After three months, Farrell Lines assigned Watson to the S.S. *African Glen* as Second Mate. He remained in that position until February 1966.

The following month, he signed on the S.S. *African Rainbow* as Chief Mate. Later, he sailed on other ships, including the S.S. *African Comet* where he served as Chief Mate until 1971.

On Feb. 9, 1972, Watson recalls "my boyhood dream finally came true. I was named

Master (Captain) of the S.S. *African Star*. I was 43 years old."

Capt. Watson sailed his ship, crew and cargo safely to West African ports in Senegal, Sierra Leone, Liberia, the Ivory Coast, Nigeria and the Cameroons.

He served as Captain of the *African Star* until June 1973. Then, as often happens in the merchant marine, he was transferred to the S.S. *African Sun* as Chief Mate.

He later was assigned to the S.S. *Austral Pilgrim*, where he served for four years, first as Chief Mate, then as Captain. He also served on other Farrell Lines ships as Chief Mate and Captain.

Although the Captain has sailed on many ships, his favorite is the *African Sun*. "The *African Sun* is a beautiful ship," he says. "It travels at 24 knots, handles easily and looks like a ship. It's the last of a breed."

What is the Captain's favorite port?

"I know it sounds controversial, but my favorite port is South Africa. The officials there treat a captain with the respect he deserves."

Last January, Watson was named Captain of the S.S. *Export Courier*, a C-3 cargo ship about 500 feet long and 73 feet wide. The *Courier*, which travels at a speed of about 18 knots, is 18 years old.

Sitting in his spacious quarters aboard the *Courier*, Capt. Watson talks about opportunities for blacks in the merchant marine.

"When I started sailing as an Ordinary Seaman with the National Maritime Union back in the 1940s," he recalls, "most sailors were white. There were a few blacks in the Engine and Steward Departments." Sipping a cup of tea he just brewed, he says, "Things have changed. Today there are some job opportunities for blacks as seamen and officers. Go and get them."

But opportunities are shrinking in the merchant marine, says Bayard Rustin, executive director of the A. Philip Randolph Institute.

Rustin says, "Not long ago, many black youngsters turned to the merchant marine for rewarding and challenging careers. Now, however, new job opportunities in the maritime industry have virtually disappeared."

He points out that in 1950, American shipping companies employed over 56,000 seamen. By 1960, employment in the merchant marine fell to 49,000. By the end of 1978, only 21,000 seamen worked on American vessels. And, according to the latest reports from the U.S. Maritime Administration, today there are less than 20,000 seamen working on American ships.

"Since well over 55 percent of all American Merchant Marine crews consist of minority seamen," Rustin observes, "black people have a special responsibility to demand an end to industry and governmental policies that place exorbitant profits before the needs of black and Hispanic workers."

The National Maritime Union agrees with Rustin.

According to the NMU Pilot, in December 1969, there were 408 ships with 13,500 jobs under NMU contract. Ten years later, the numbers dropped to only 250 ships with 6,240 jobs.

When Watson began sailing in 1946, the U.S. had the largest merchant marine fleet in the world. Today, it ranks 10th.

One reason for this decline is that U.S. flag ships carry only 4 percent of America's import-export trade. Foreign flag ships carry 96 percent of U.S. cargos.

Although job prospects are grim in the U.S. Merchant Marine, Capt. Watson is optimistic about his own future. "Last year, I made \$64,000," he says. "My goal is to make \$100,000 a year."

He can do this by getting assigned to faster ships with more power tons and by

working more overtime. His present overtime rate is about \$37 an hour.

Capt. Watson is confident he can achieve his goal, but it won't be easy. Many Chief Mates, Second Mates and even Third Mates have licenses as Captains. They compete fiercely for Captains' jobs. They are competent and eager, so competition remains keen.

But Cayman Islanders thrive on competition. They have grit and determination which is what it takes to command an American merchant ship.

As master of the 10,000-ton *Export Courier*, Capt. Watson is responsible for everything that happens aboard ship. He is in charge of the crew, ship and cargo, which is valued in the millions of dollars.

On Voyage 93, which began last May-June, Capt. Watson sailed his ship and cargo to Sicily, Turkey and Cyprus, discharging and loading thousands of giant containers filled with a wide assortment of cargo. The containers, 20 to 40 feet long and about eight feet wide, resemble gigantic shoe boxes.

The *Export Courier* has a crew of 43 seamen and officers, including one woman who works in the Steward Department as a Pantrywoman.

What does the Captain think about women aboard ship? "I'm for it," he says, "as long as they can do the job. They sometimes can do the job better than a man, especially in the Steward Department."

With the exception of the Captain and the Chief Steward, all the *Courier* officers are white. Most of the seamen are Puerto Ricans, blacks, orientals and a sprinkling of whites.

"The mixed crew poses no particular problem," says Capt. Watson. "They work together like the professionals they are."

"I wouldn't mind sailing with this Captain again," says Bosun Robert D. Pardo of Brooklyn.

Pardo, a tough-looking black man with massive arms and shoulders, is in charge of six Able Bodied Seamen, three Ordinary Seamen and two Day Men.

Pardo, who has been going to sea for years and has sailed with many Captains, admires the way Watson climbed from Ordinary Seaman to Captain. "He pulled himself up by his own bootstraps," he says. And, like most seamen, Pardo respects a man who came up the hard way, especially a black man.

"I believe in delegating authority," Capt. Watson says. "To keep the *Courier* running smoothly and efficiently, I delegate responsibility to each of the three department heads. The Chief Mate runs the Deck Department, the Chief Engineer handles the Engine Department and the Chief Steward takes care of the Steward Department."

The Captain, who knows every inch of the ship from stem to stern, is quick to spot any possible problems.

"I believe in listening to problems, complaints or suggestions from the officers and crew," he says. "For example, I regularly meet with the NMU Ship's Delegate to discuss any matters of concern regarding the crew."

"If I can solve the problem aboard ship, I'll do it on the spot. If it can't be solved here, the problem is turned over to the NMU Patrolman as soon as the ship docks in an American port."

A ship's Captain needs the tact and understanding of a diplomat.

The tall and distinguished Watson looks the part. He is six feet, three inches tall, weighs 180 pounds and carries himself with the easy grace of an athlete.

At the same time, there is a touch of the buccaneer about him. With his roguish

brown eyes and flashy smile, he bears a striking resemblance to former movie star Errol Flynn, who played many swashbuckling roles.

Capt. Watson and the crew stay healthy by working hard and eating the hearty food aboard the *Courier*. It tastes good and there is plenty of it.

Farrell Lines believes a well-fed crew is a happy crew, and the National Maritime Union takes great pride in providing first-rate cooks and bakers on their ships. No one goes hungry on the *Export Courier*. The seamen eat as much as they want.

Capt. Watson, who spends about six months at sea and six months with his family, is married to a Cayman Islander. He and his wife, Julie, have two children, Edward, Jr., three, and Tavis, one. She and the children are spending the summer on the island. The Watsons live in Brooklyn, N.Y.

Although the Captain has sailed as a U.S. Merchant Marine officer for about 20 years, he still visits the NMU shipping hall when he's in New York.

"I like talking to the men I sailed with when I was an Ordinary Seaman," he says with a touch of nostalgia. "I know where my maritime roots are." ●

THE U.S. NUCLEAR BREEDER PROGRAM: A NEED FOR DIRECTION

HON. MIKE McCORMACK

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. McCORMACK. Mr. Speaker, for many years, the Committee on Science and Technology has been active in providing information to the Congress on the progress and development of the U.S. nuclear breeder program. The impasse between the administration and the Congress over the development of this important energy technology has heightened the need for understanding the issues and implications of the current direction of the breeder program.

The Congress has consistently supported the need for development of breeder powerplant technology, as have a number of recent important studies, such as the National Academy of Sciences study called *Energy in Transition: 1985-2010*, and the Department of Energy's study, "Nonproliferation Alternative Systems Assessment Program (NASAP)." However, as you know, the administration's resistance to the breeder program has resulted in a stalemate which is costly to the United States, both in dollars and in time lost in the development of this technology.

The committee has consistently taken the position that the administration's policies with respect to nuclear fuel reprocessing and to the breeder programs are unrealistic, and cause potentially serious consequences for our Nation. This view is shared by many individuals and groups in this country and among our friends overseas.

Resistance to the development of breeder powerplants is based on ex-

tremely optimistic projections of the availability of all other energy sources, and on an unrealistically low projected growth rate for energy demand. Current events in the Middle East make it painfully clear that such optimistic projections should not be relied upon for the security of our Nation; and that we must proceed with the development of realistic domestic energy sources which will be needed to meet our future energy demands.

In this respect, the General Accounting Office has recently completed a study of the U.S. breeder program, a study which supports the need for change in the administration's policy. In its study, the GAO has concluded that "... breeder technology should move forward to the construction and operation of an LMFBR demonstration plant." I commend to you the following excerpts from the GAO report, "U.S. Fast Breeder Reactor Program Needs Direction."

U.S. BREEDER REACTOR PROGRAM NEEDS DIRECTION DIGEST

For more than 3 years the administration and the Congress have been unable to agree on the future role of fast nuclear breeder reactors in the United States. The issue boils down to whether the United States wishes to rely on nuclear power as a long- or short-term energy supply source.

If a long-term future for nuclear power is desired or even if the future role of nuclear power is viewed as uncertain but a nuclear option is to be maintained, constructing and operating a fast breeder demonstration plant is needed. On the other hand, if nuclear power is seen as having only a short-term role, the need to continue the breeder program is eliminated.

ADMINISTRATION'S STRATEGY IS RISKY

The liquid metal fast breeder reactor (LMFBR) program was accorded top priority until 1977 when the current administration significantly stretched out the program's proposed commercialization date from 1986 to about the year 2020. The new policy was founded on

Concern that plutonium-based nuclear fuels may lead to international nuclear weapons proliferation;

Projections supporting a diminished need for commercial breeder reactors because of reduced electrical energy growth forecasts and more plentiful uranium resources to fuel conventional light water reactors;

Projections that LMFBRs would not become economically competitive for several decades;

Questions about the safety of LMFBRs; and

The belief that the Clinch River Breeder Reactor was too small, too costly, and technically obsolete.

GAO believes this policy is based on uncertain data and not supported by the evidence.

The current strategy will not necessarily enable this country to achieve its nonproliferation goals. (See p. 10.)

The projections of the availability of uranium are uncertain. (See p. 13.)

Unanticipated events, such as the loss of Persian Gulf oil or future constraints on domestic coal supply could increase the future demand for nuclear energy and the need for an early commercialization of breeder reactors. (See p. 18.)

The ultimate economics of the LMFBR are difficult to accurately project. (See p. 21.)

The LMFBR is no more or less safe than the current generation of light water reactors. (See p. 22.)

PROGRAM HAS NO DIRECTION

Regardless of the validity of the administration's contention that commercial LMFBRs will not be needed before the year 2020, the United States may not even be able to meet this date. The LMFBR program:

Lacks a clear mission and focus resulting in a considerable waste of time and money. (See p. 23.)

Does not include assurance that the requisite institutional conditions for commercializing the option—industrial capability and utility confidence—will be in place to allow for a smooth transition to this energy supply option if and when it is needed. (See p. 29.)

The disagreement that has characterized the fast breeder program, specifically the LMFBR, for the past 3 years has made planning and directing the program difficult for DOE.

Currently, the administration is not supporting any overall program plan that details an LMFBR development strategy although many have been proposed by DOE. After three decades and several billion dollars of research and development on this energy system, DOE officials were unable to provide GAO with an approved and generally accepted plan on how to secure the LMFBR option by the year 2020 even though they recognize the need to have such a plan.

The more immediate problem facing DOE, however, is the lack of a specific plant commitment that would serve to focus the LMFBR base technology research and development work being done at its laboratory and contractor facilities toward some definable and measurable end use. With the uncertainty surrounding the Clinch River plant and the lack of an administration commitment to any demonstration plant, the LMFBR program has become unstructured and program progress is becoming increasingly difficult to define and measure.

The Congress has continued funding the Clinch River plant every year since 1977, despite the administration's repeated attempts to kill the project. Even with continued funding, however, no work has begun on constructing the facility. Recent actions by the administration underscore its desire to kill the Clinch River project and to defer any commitment for a substitute plant. Specifically,

The fiscal year 1981 budget submitted to the Congress again calls for termination of the Clinch River Plant;

The Nuclear Regulatory Commission licensing staff that is necessary for the Clinch River project to move toward construction has been dispersed;

The fiscal year 1981 budget is requesting that the Nuclear Regulatory Commission's LMFBR safety research program be terminated; a move that, according to the Commission, could cost the LMFBR program about 10 years of development time if work is ever resumed; and

A decision on whether to construct a substitute plant for the Clinch River facility, scheduled for March 1981, has not been supported in the administration's fiscal year 1981 budget request.

Thus, it is probable, that another year of indecision is facing the LMFBR program.

TERMINATION OF GAS-COOLED FAST BREEDER
REACTOR PROGRAM IS PREMATURE

The gas-cooled fast breeder reactor and the light water breeder reactor programs are being carried out as backups to the LMFBR program. However, in fiscal year 1981 DOE is planning to terminate its participation in the gas-cooled fast breeder reactor program while continuing to fund the light water breeder reactor program. But, according to DOE officials, the light water breeder reactor program cannot be viewed as an alternative or backup to LMFBRs because its objective and purpose are different. Accordingly, the United States will be left with no real nuclear alternative to the LMFBR technology if unforeseen or unanticipated technical or institutional obstacles prevent it from becoming the Nation's primary nuclear energy supply system. DOE's withdrawal from participation in the technology development program will probably cause the collapse of the industrial infrastructure that has grown in support of the program and, consequently, the only nuclear alternative to the LMFBR program will be lost. (See p. 36.)

CONCLUSIONS

Over the past several years both the Congress and the administration have endorsed the need for maintaining a strong LMFBR program in this country. However, a strong LMFBR program includes constructing and operating a plant—something which has not been done. Consequently, if this country wants to rely on nuclear power as a long-term energy source or even if it chooses only to preserve a future energy supply option for possible use if other energy technologies cannot carry the load, the information gathered by GAO supports the position that fast breeder technology should move forward to the construction and operation of a LMFBR demonstration plant. In fact, the Congress, by continuing its support over the last 3 years for constructing and operating a demonstration plant, appears to have chosen this path. In this regard, however, it should be noted that constructing and operating a LMFBR plant that would serve to demonstrate the viability of the technology should not be viewed as an irrevocable commitment to commercially deploy the technology. These can be and should be two distinct phases of the overall development process.

In contrast, however, the administration, by its rigid opposition to constructing any breeder plants, has chosen a different path. So, if the program is to move forward, GAO believes it is necessary that the circle of debate between Congress and the administration be broken and that a clear and firm commitment on the long-term role of nuclear power be made. Recognizing the administration's position on this matter, the only real alternative is for the Congress to shoulder this burden.

In addition, to the extent the Congress wants to rely on nuclear power as a long-term energy supply source or wants to maintain a long-term nuclear option, prudent management dictates that a backup technology be available for timely development in case the LMFBR program does not meet its objectives. The gas-cooled breeder program can provide this needed backup capability. Consequently, the program should continue at least until it reaches a decision point on whether to construct and operate a demonstration facility—now scheduled for about 1984.

RECOMMENDATIONS TO THE CONGRESS

If Congress wishes to maintain a nuclear option or if it wishes to commit to nuclear power as a long-term energy source, GAO

recommends that it require DOE to demonstrate the viability of the LMFBR technology by mandating the construction of a breeder reactor facility. However, in making this recommendation, GAO wants to emphasize that it is not necessarily advocating the completion of the Clinch River project as the only means of moving the program forward. The only resolution to the impasse may be to move ahead with a larger, more recently designed facility instead of the Clincher Project.

In GAO's opinion, the imposition of a plant commitment on DOE would help foster a more appropriate U.S. breeder reactor research, development and demonstration posture. As part of this mandate, however, the Congress may wish to make it clear that it is not adopting a policy that would encourage premature commercial breeder deployment in this country.

Further, a commitment to a long-term nuclear option should include continued support for the gas-cooled fast breeder reactor program since it is currently the only real nuclear alternative to the LMFBR technology. Accordingly, GAO recommends that Congress continue to fund the program at least until the program reaches a decision point on whether to construct and operate a demonstration facility. Such an approach is essential as a prudent management step in helping assure the timely success of this Nation's nuclear energy future.

On the other hand, if Congress cannot reach a resolution on whether to preserve the breeder option or if it does not wish to do so, GAO recommends that it consider terminating the breeder program.

To continue to fund the program at several hundred million dollars a year to keep the scientific and engineering teams together is hard to justify. GAO points out, however, that if the program is terminated it could cost many years of developmental time if the Congress later chooses to restart it. If this should occur, the only available alternative may be to purchase breeder reactors from some more advanced, foreign nation.

AGENCY COMMENTS

The Department of Energy provided written comments on this report. Essentially, they agree that for effective management and resource utilization, a central organizing principle and a schedule are desirable for the program. Moreover, the Department recognizes that there is now no national policy guidance on whether or when breeder reactors will need to be deployed. On the other hand, the Department states that it has developed a rational approach for the development of the technology, should a national policy dictate the need to do so. A summary of the Department's comments and GAO's evaluation of them is included in chapter 5 of the report. The complete text of the Department's comments is included as appendix I.

HOUSE JOINT RESOLUTION 610,
MAKING CONTINUING APPROPRIATIONS

HON. PATRICIA SCHROEDER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 30, 1980

● Mrs. SCHROEDER. Mr. Speaker, once again, the Congress is playing chicken with the operations of the Federal Government. Once again, Members of Congress are given the

draconian choice of voting for a continuing resolution which contains unacceptable features or of voting to shut down needed services to people. I don't like this procedure and I hope that the leadership will do something to prevent its recurrence.

There are many parts of this bill which I find unacceptable. I will focus on the issue of the Office of the Special Counsel. Last June, the Senate Appropriations Committee decided to rescind \$2 million of the \$4.5 million appropriation of the Office of Special Counsel. This \$2 million rescission was twice what the administration recommended. Without paying a great deal of attention to the issue, the House accepted the larger rescission in conference. As a result, the Office of Special Counsel faced imminent deficiency. There was insufficient money to pay employees, rent offices, and send mail. Two-thirds of the employees in the agency had to be detailed for the last month or more of the fiscal year. No investigations could be made. No travel was allowed.

I do not believe that anyone involved in drafting the supplemental appropriations bill intended to cripple the Office of Special Counsel. Rather, I think an honest misjudgment was made.

Unfortunately, instead of ending the devastating effects of this misjudgment, this continuing resolution perpetuates them. The continuing resolution ties the budget of the Special Counsel to the lower of the House-passed figure or the 1980 figure. This means that the same thoroughly inadequate amount of money which was made available for the Special Counsel during the last 2 months of fiscal year 1980 will continue to be provided until December 15, 1980. I find this unacceptable.

I strongly agree with the policy of limiting Federal spending. I think continuing resolutions should provide only the minimum amount necessary to allow agencies to continue functioning. This continuing resolution departs from this policy. It provides enormous amounts of new start money for the Department of Defense while providing inadequate funding for the Special Counsel.

Even consistent with a policy of fiscal austerity, the Office of the Special Counsel should be adequately funded. This Office protects Federal workers who blow the whistle on waste, fraud, and abuse. If this Office were strong and effective, huge amounts of money could be saved. There is no group of citizens who are more aware of the big pockets of waste that exist in the Federal Government than Federal employees. If they believe they will be protected, these citizens will come forward and tell us where the ripoffs are. With a Special Counsel's Office that lacks the resources to protect them, however, no employee in his or her right mind is

going to come forward with disclosures.

I urge the Appropriations Committee to fund adequately the Office of Special Counsel in the future.●

EXCESSIVE GOVERNMENT REGULATION

HON. KEN KRAMER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. KRAMER. Mr. Speaker, one of the most common criticisms we hear from our constituents today is that the Government has become too pervasive in our lives—that we are subject to Government regulation in one form or another in virtually every aspect of our lives and livelihoods. And there is the growing perception that that Government presence is out of control.

This problem of excessive Government regulation, and how to solve it, has been a principal concern of mine since coming to the Congress, and I have been pleased by the steps which have been taken in this Congress, through the efforts of the gentleman from Georgia, Mr. LEVITAS, and others, to assert a measure of congressional control over the regulatory agencies. I believe it is absolutely essential that the Congress assume greater oversight and control over the regulatory agencies, because only in that way can we make their actions more accountable to the public.

Because I think this congressional responsibility is so important, I am today introducing legislation to provide for a systematic and comprehensive approach to congressional review of regulations. Not only is the end result of the legislative disapproval mechanism important, but the process by which that disapproval mechanism can be effectively employed is equally important, and I think that process has not received adequate attention. We entered the 96th Congress amid expectations that this would be the oversight Congress. But, unfortunately, oversight is not always glamorous; it is often tedious; and, with respect to regulatory actions, it has usually been haphazard, following the maxim that the squeaky wheel gets the grease.

The bill I am introducing today follows the basic format for congressional disapproval and reconsideration of agency regulations that is contained in H.R. 1776, introduced by Mr. LEVITAS, and of which I am an enthusiastic cosponsor. But my bill goes a step further by setting out a uniform procedure for the Congress to follow in reviewing agency regulations and in considering disapproval or reconsideration resolutions.

Specifically, the bill would require each standing committee to designate one subcommittee as having responsibility for reviewing all agency regula-

tions which come within the legislative and oversight jurisdiction of that committee. New regulations would have to be transmitted to that standing committee and then referred to the designated subcommittee. The regulations would not become effective if within 90 days, both Houses had passed a concurrent resolution of disapproval, or if within 60 days, one House had passed such a resolution and it was not disapproved by the other House within the next 30 days.

Resolutions of disapproval and resolutions for reconsideration would also be referred to the designated subcommittee. If that subcommittee reports such a resolution to the standing committee, the bill provides a timetable by which the full committee must act on the subcommittee's report. If the standing committee does not disapprove the subcommittee's report or take action within the allotted time frame, the bill provides that the full committee will be automatically discharged from further consideration of the resolution, and the resolution will be placed on a special calendar for floor consideration. The bill establishes a Resolutions on Regulations Calendar, to which all resolutions of disapproval and resolutions for reconsideration would be referred out of committee, and items on that calendar for 3 calendar days would be eligible to be called up by any Member on the second and fourth Tuesday of each month after routine business. This would assure both expeditious and careful consideration by the Congress of these important resolutions and would guard against their being buried in committee or lost in the floor shuffle. If the Congress assumes the responsibility which I believe it should in this critical area, it will be necessary to provide for a system by which these resolutions can be considered separately from legislative matters. This will afford the attention which this important oversight responsibility deserves. I urge my colleagues' review of this bill and hope for wide cosponsorship.●

THE PLIGHT OF SOVIET JEWS

HON. TOM CORCORAN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. CORCORAN. Mr. Speaker, few things remain established and unchanged in the world but occasionally an idea can be so strong and pervasive it becomes inherent in the consciousness of a nation which has adopted that idea as its standard. For generations, the United States has been symbolized as the land of the fair deal, the haven for the politically oppressed.

For few groups is this belief more impassioned than by the Jews of the Soviet Union seeking to emigrate. Their final destination is not always

the United States, but their wishes to leave the U.S.S.R. often hinge on the involvement of interested groups in the United States. Nearly 1 year ago, I was in contact with U.S.S.R. Secretary Brezhnev citing my concern about the delay in permission being granted to the Boris Nikonov family to emigrate. The Nikonov family has connections with my district. Some months later, I was overjoyed to learn that the family had received that permission and had come to the United States. They now reside in Chicago, where Mr. Nikonov is employed by an equipment manufacturer.

Now, a synagogue in my district, Aurora's B'nai Israel, has brought a different sort of case to my attention. Four and one-half years ago, Karl Grinberg applied for permission for himself and his family to emigrate to Israel. As a result, he and his wife both lost their jobs and the Grinbergs suffered a divorce in order that Mrs. Grinberg and their two sons could apply independently. Two years later, the three of them did receive their visas and emigrated to Israel.

Karl Grinberg has been separated from his family for 2 years. The KGB has threatened prison on charges of parasitism—the crime of being unemployed. The Grinberg case is tragic but it is one among many which comes under violation of the Helsinki agreements. Northern Illinois relatives of those people still living in the Soviet Union have been told of the increasing difficulties facing those wishing to emigrate.

Today I have addressed the case of Karl Grinberg in letters to Secretary Brezhnev and Ambassador Anatoly Dobrynin. I ask that the text of my letter to the Secretary be included in the RECORD at this point:

OCTOBER 1, 1980.

DEAR SECRETARY BREZHNEV: I am writing to ask that permission be granted to Mr. Karl Grinberg to emigrate to Israel, where he will be reunited with his wife and two sons. I have learned that he has been awaiting permission to emigrate for nearly four years. I came to be made aware of this case through friends of Mr. Grinberg who live in my congressional district.

Mr. Grinberg's address is: Mr. Karl Grinberg, U. Briantseva 26, Apt. 11, Leningrad, U.S.S.R.

I greatly appreciated your assistance in the allowance granted to the Boris Nikonov family to emigrate. I request a report on the status of Mr. Grinberg's case. Thank you for your attention to this matter.

Sincerely,

TOM CORCORAN,
Representative in Congress.

Mr. Speaker, it is my unyielding belief that we must stand strongly in support of those precepts in which we believe. Monitoring the Soviet Union's adherence to the Helsinki accord makes our concern about the human rights violations take on a more purposeful dimension. It becomes not a concern of interest or ethnic groups but a national concern which strikes

at the heart of what we as a Nation have come to believe.●

NIH RESEARCH

HON. DAVID R. OBEY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. OBEY. Mr. Speaker, the Federal Government spends more than \$50 billion a year on health, but less than \$5 billion is spent at the National Institutes of Health on research designed to prevent or cure the diseases that cost us all so much money. Without this research our health bill in the future will simply continue to grow. The following article concerns the National Institute of Neurological and Communicative Disorders and Stroke, one of the institutes that is involved in programs that may both save us money in the future and more importantly, relieve the pain and suffering of victims of diseases and their families.

DONALD TOWER: GUIDING U.S. NEUROSCIENCE EFFORT

(By Lois R. Ember)

It sits on a grassy knoll on the sprawling Bethesda, MD., grounds, one of the 11 institutes that make up the National Institutes of Health (NIH). It isn't the oldest and largest of the 11. That honor falls to the National Cancer Institute. Nor is it the youngest or the least funded of the institutes. Those distinctions fall to the institutes of aging and dental research, respectively.

No, the National Institute of Neurological & Communicative Disorders & Stroke (NINCDS), which last month celebrated its 30th anniversary, is smack in the middle. And like a middle child, it is often ignored—overshadowed by a more glamorous or smarter older child, or passed over for the scrappy cuteness of a younger sibling.

But like a determined middle child, NINCDS quietly achieves. With a sure and steady pace, the institute has supported some of the major advances in neuroscience over the past 30 years. This year, with a budget of \$242 million, NINCDS will fund fully 60 percent of all U.S. research in the neurosciences, and a hefty portion (\$53 million) of that will support neuro-chemistry projects.

At the helm, holding the institute to this steady course, is its director since 1974, Donald B. Tower. Tower, and assistant Surgeon General in the U.S. Public Health Service who holds a Ph.D and M.D., directs a staff of more than 500 researchers trained in the basic and clinical sciences.

He himself is firmly grounded in chemistry and neurochemistry. Hence his bias: "Neurochemistry undergirds practically everything that is being done at the institute because the nervous system is put together and functions in ways that depend primarily on chemical and biochemical phenomena." Understanding this chemistry clarifies the working of the nervous system and, therefore, its disorders. And after all, "the ultimate mission of this institute," Tower explains, "is to deal with the disorders—to understand them, diagnose them, treat them, and prevent them."

Though electrophysiologists of the past would have you believe otherwise, Tower says, "communication between two nerve

cells is chemical." Conduction of the nerve impulse along the neuronal membrane, a change in polarization of that membrane, is actually a chemical battery phenomenon, he explains. And the energy driving that impulse is supplied by the high-energy phosphate bond in adenosine triphosphate (ATP), the normal mammalian energy bank. Finally, he says transmission (and modulation) of the nervous impulse from one nerve cell to another—the basis of human behavior—is biochemical.

Ten to 20 years ago, Tower says, "we were limping along on a few 'classical' neurotransmitters." Today neuroscientists have teased out several dozen recognized neurotransmitters, neuropeptides, and/or neurohormones from the complex chemistry of the nervous system. And the number of these chemical messengers is expected to climb to more than 50 as scientists search actively for these components of the versatile biochemical circuitry that is the human nervous system.

Tower especially likes to talk about recently discovered endorphins and enkephalins, whose names are rapidly entering the general lexicon. These chemical messengers—the brain's own opiates—have been heralded as possible solutions to both intractable pain and drug addiction, two important modulators of human behavior.

Research to unravel the chemical mechanisms of the brain's opiate receptor systems coupled with neuropharmacology may provide the solutions sought. For example, devising agonist compounds that mimic the natural endorphins normally attracted to these receptors may "be useful in providing treatment for pain," Tower says. On the other hand, he asserts, "devising antagonist molecules may be a way of getting us out of the drug addiction dilemma."

These natural opiates are but some of the fruits harvested from the flourishing crop of neuroscience discoveries of the past decade. Tower, however, remembers the more barren beginnings. In the late forties-early fifties when he was studying for his doctorate at McGill University in Montreal with some of the pioneers in neurochemistry, there were no neuroscience societies or journals, he recalls. The first journal of neurochemistry came out in 1957, four years after Tower came to NIH. The first society of neurochemistry, which Tower cofounded, was organized in 1968.

The Society for Neuroscience, which Tower describes as the "formal aggregation of all the specialties that deal with basic research on the nervous system," was organized only in the mid-1970's, around the time that Tower became director of NINCDS. Although Tower asserts that the two events are only "an accident of chronology," he cannot deny the fact that NINCDS has supported many of the major advances in the field during his tenure. Among these are an understanding of the role of "slow viruses" in the etiology of certain rare neurological diseases and possibly even multiple sclerosis, and the development of positron emission tomography, a noninvasive technique that can track neurochemical events in conscious patients.

These advances occur because neuroscience is a vital, though bastardized, field in which disciplines blend and blur. Talent is drawn from a community of more than 6,000 senior researchers from such diverse specialties as neurochemistry, molecular biology, biophysics, pharmacology, immunology, epidemiology, and virology.

As Tower explains, "a critical mass" now has been achieved that is "exploding in a tremendous advance in knowledge about the nervous system and its disorders." He finds

the broad, moving frontier of neuroscience "most pleasing." Also gratifying and exciting, he says, is that people from these different disciplines talk to each other and "share experiences, techniques, and approaches to a degree that has not happened in other areas in quite the same way." He attributes this unique cooperation to a fascination "about understanding how the nervous system works, why it works, and what to do about its disorders."

Perhaps nothing exemplifies this more than the discovery of the opiatelike peptide compounds and their neural receptors, which opened up a whole new area of research. The discovery brought together a number of fields, Tower says, "probably most logically under the rubric of neuroendocrinology."

Another area of research in ferment at the moment—an area in which Tower was active first as a hands-on researcher, now as a guiding hand for that research at his institute—is epilepsy. As Tower explains, epilepsy is a disorder characterized by hyperactivity of the central nervous system. About 2 million to 4 million Americans, and possibly more, have this affliction, which few ever outgrow. Fortunately, in most cases the seizure disorders can be controlled by drugs. NINCDS, in cooperation with academic scientists and pharmaceutical companies, is spending between \$2 million and \$4 million to develop, then screen new anticonvulsant agents.

Fundamental to the development of these drugs is a basic understanding of the biochemistry of epileptic seizures. Within the institute, these basic studies are being carried out in the Laboratory of neurochemistry, one of 16 laboratories or branches conducting intramural research.

Another active area of intramural research, this within the neuroimmunology branch, are studies on multiple sclerosis. MS is a scientifically beguiling disorder afflicting about a quarter of a million people in the U.S. It is usually characterized as an "autoimmune" disease that is probably triggered by a virus, possibly the measles virus. In susceptible individuals, the body begins to produce antibodies to its own tissue; in this case, to protein components of the fatty myelin sheath that insulates nerves.

NINCDS SUPPORTS RESEARCH THAT AFFECTS ABOUT 50 MILLION IN THE UNITED STATES

(In millions)

Disorder	Number affected
Hard of hearing, deafness.....	14-15
Speech impairments.....	10
Epilepsy.....	2-4
Stroke.....	1.7
Senile dementia.....	1.0 or more
Muscular dystrophy, myasthenia gravis.....	0.5
Parkinson's disease.....	0.5
Multiple sclerosis.....	0.2
Paraplegia.....	0.1
Cerebral palsy.....	0.75
Amyotrophic lateral sclerosis, Huntington's disease, microbial infections of nervous system others.....	About 15.

To establish a genetic link in MS, NINCDS is studying about 30 sets of identical and fraternal twins. In some cases, one twin exhibits all the outward signs of MS, whereas the other twin appears unaffected. Yet, even in these "unaffected" individuals sophisticated tests have uncovered subtle signs of the disease.

Thus as scientific probes become more sophisticated, more subtle markers can be detected. In the twin studies, for example, the new hybridoma or cell fusion technique is being used to produce large quantities of very pure antibodies. These "reagents" then can

be used to lure viral proteins, which then can be analyzed and identified.

Because there appears to be a distinct geographical distribution to MS with more cases reported in temperate and cold climates than in tropical climates, and because some recent studies have pointed to "epidemics" of MS in isolated populations, many scientists would like to think that the trigger is the measles virus. But Tower cautions that the evidence, though impressive, is still only circumstantial.

The intriguing yet confounding thing about MS is typing all the strings together. "How one gets from geographical foci, and the measles virus, and some genetic susceptibility to an autoimmune disease is one of the \$64,000 questions," Towers admits.

As well as MS, NINCDS studies many other "black boxes." Among these are communication disorders—impaired in the ability to hear and speak.

The most prevalent disability in the U.S. is hearing impairment, which afflicts to varying degrees of severity some 15 million people. Speech impairment afflicts another 10 million people. Both activities, automatic functions for most of us, are accepted cavalierly. Yet speech is a complex neuromuscular activity supported by an array of biochemical events.

Though they are so basic to the "human" condition, the understanding of speech and the vehicle of communication—language—is riddled with unanswered questions. How, for example, is the mechanical bending of the hair cells of the inner ear transduced to an encoded nerve signal? Tower says the answer eventually will be traced to some chemical or physicochemical phenomenon, unknown at the present time. Furthermore, how is that nerve signal processed centrally in the brain? Processing is required for the hearer to be able to formulate an appropriate response, which may be the orchestration of a precise sequence of adjustments to the speaking apparatus, the lips, tongue, larynx, and jaws.

The study of communicative disorders will loom ever more prevalent in the institute's future, Tower says. Support for this research has risen substantially and steadily over the past five years. And this trend is expected to continue. In the past, such support has produced a prosthetic device implanted in the inner ear that provides direct electrical stimulation to the auditory nerve. This device has enabled nerve-deaf patients to identify some ambient noises, though not the sounds of speech.

An emerging area of concern, but one which has received only superficial interest, is neurotoxicity. As a people we are bombarded by a fusillade of natural, pharmaceutical, and industrial toxins that home in on the nervous system. Yet, Tower admits; "research in neurotoxicology is not a popular area . . . and has not been so enticing as many other areas of neuroscience." A "little spade work" is needed, he says, to overcome the reluctance of scientists to enter the field. The institute, resources willing, will set aside some money for neurotoxicological research for those scientists already possessing the requisite skills. For those lacking the skills, the institute will provide training grants.

At the very least, Tower would like to see developed a compendium of known classes of neurotoxins. The list would include molecular structures, symptoms produced, and treatments recommended. Tower also would like to see screening methods developed, which he feels would be particularly useful to industry. Industry then could screen employees for key neurological functions before the introduction of a new process,

screen them periodically thereafter, and remove employees or introduce additional protective measures if neurological tests indicate the need for such actions.

There is, however, a positive aspect to natural and drug neurotoxins, as Tower notes. Neuropharmacology especially is utilizing the toxic properties of agonist and antagonist compounds to produce more efficacious drugs. One of the best examples of this is development of L-dopa to treat Parkinson's disease.

Admittedly partisan, Tower feels that "knowledge of the nervous system and its disorders is the most important endeavor in biomedical research today because it is the basis for human existence and human behavior." Those with malfunctioning nervous systems bear distressing disabilities, he points out. These are not only distressing, but costly to the patient, his/her family, and the U.S.

Cautioning that his remarks should not be interpreted as "budget busting," he stresses that a better understanding of the central nervous system warrants greater investment by both the private and public sectors. Mounting expanded studies would "pay very handsome dividends" in the long run, he says.

When he isn't appearing to make a pitch for more funding, when he isn't directing the mammoth institute, when he isn't serving on the advisory boards of several neurological journals, when he isn't serving as an adviser to the World Health Organization, and when he isn't sitting on the jury for the prestigious Lasker Awards, what does Tower do? He studies whale brains.

That's not so foreign to the mission of a neurological institute as it first appears. The great whales can dive to great depths and stay there for very long periods of time without getting the bends or suffering anoxia. "Now if we understood how they did that," Tower says, "we might be able to deal with some very practical problems confronting mankind."

Though Tower has successfully made the transition from scientist to science manager, he still remains caught up in the excitement and curiosity of basic research. He finds the melding of disciplines in neuroscience particularly gratifying. "When I grew up in this," he recalls, "there were very rigid separations of electrophysiologists from neurochemists even though electrophysiologists couldn't get any electricity out of the nervous system if they didn't have some chemistry there. But they didn't understand that at the time. Now that is understood. It's all put together. And it is exciting." ●

ONE FOR THE ROAD

HON. MANUEL LUJAN, JR.

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. LUJAN. Mr. Speaker, last Friday, September 26, a Washington landmark ended a distinguished career on Capitol Hill. . . . Mr. George Thompson, mixologist extraordinaire, removed his red jacket for the final time at the National Republican Club of Capitol Hill. George has moved among the leading figures of our time for the past 27 years—President Eisenhower, President Nixon, President Ford, our former Speaker, Hon. Joseph W. Martin of Massachusetts,

and so many Members of Congress that I dare not attempt to list them all. In fact, George has been around Capitol Hill longer than most of us serving in the Congress at the present time.

As for myself, I can attest to George's selflessness and devotion to the club, its entire membership, and to the Republican Party. George is one of those who has labored long hours in the vineyard without any expectation that his service would be singled out. However, that is not to be the case. On Thursday, October 2, the Capitol Hill Club is honoring George with a reception from 6 to 8 p.m. appropriately in the Club's Eisenhower Lounge. Since all Republican Members of the House are members of the Capitol Hill Club, I urge they attend this well-deserved tribute to a wonderful gentleman who has been our friend for so many years. Additionally, Mr. Speaker, I have seen a few forward-thinking Democrats availing themselves of the club's facilities and I invite them to also attend these festivities. I know we are all anxious to return to our homes to begin campaigning in earnest but I hope each of you will take just a few moments to stop by the club to say, "Thank you" to George.

Mr. Speaker, the September 25, 1980 edition of Roll Call had an excellent interview with George by Maggie Lawson. I commend this article, which follows my remarks, to my colleagues:

ONE FOR THE ROAD—GEORGE THOMPSON
MIXING HIS LAST COCKTAIL

(By Maggie Lawson)

From his 27-year vantage point behind the bar at the Capitol Hill Club, George Thompson has been a first-hand witness to history. He's probably forgotten more political secrets that most people will ever know. Thompson's shy grin gives that much away.

Now after 27 years George Thompson—bartender *par excellence*, master psychologist, and consummate politician in his own right—is retiring.

When he leaves tomorrow and heads home for Baltimore, the political secrets will go with him, to remain untold. "Hear nothing, see nothing, say nothing," is his way of putting it.

Thompson holds the secrets close to his chest and talks of other things—of the good times, the people he loves, the retirement party coming up on October 2 at the Club.

In preparation for the party, the Capitol Hill Club even has formed an impressive-sounding "Committee to Honor George Thompson," with Rep. Manuel Lujan (R-NM) as chairman.

Approximately, the party will take place in the Eisenhower Lounge of the Club.

Former President Dwight Eisenhower's stint in the White House began just shortly before Thompson moved from the National Women's Club to the Capitol Hill Club (then on 1st and Carroll Sts.).

Those were good old days for Republicans, and Thompson remembers them fondly. There were year-round patio parties under a tent (heated in winter with oil stoves), and everybody came, including Eisenhower. Thompson remembers the former President as having a "military reserve."

When he was a Congressman, and again after he left the White House, another

former President, Gerald Ford, "visited the Club quite a bit," says Thompson. "He is very easy to talk to."

Someone who didn't spend time at the Club was former President Richard Nixon. "Even when he was in Congress, I didn't come in contact with him," says Thompson.

By staying away, Nixon undoubtedly missed out on some wise advice from Thompson, to be had for the asking (only for the asking) along with the scotch on the rocks or the gin and tonic.

Over years of dealing with Congressmen and other VIP's, Thompson has developed his ability to read other people's moods into a fine art.

"I try to figure out when a Member just wants to sit and think and when he wants to talk," says Thompson. Usually the talk is not about what is going on on the floor, even when the House or Senate is running late, he says. "They come here to talk to me and forget," he explains.

During the civil rights era, though, the conversation often took a serious turn. As a black man, Thompson naturally had strong opinions on the subject.

"They'd ask me what the civil rights thing was all about, and I'd ask them if they wanted to hear it the way they wanted to hear it or hear what I think," Thompson says.

His face takes on a thoughtful look as he remembers. "They'd always say they wanted to hear what I thought, and I'd tell them," he says. "I don't know whether they took my advice, but they heard," he adds.

Thompson admits that more of his bartending hours have been spent listening than talking, but nevertheless the camaraderie is always there. "The whole Club is one big family," says Thompson, who has no immediate family of his own.

As the years have passed, the big family has grown bigger. When Thompson started work at the Club, it had around 1,000 members. Now it has between 12-14,000.

In the early days, Thompson recalls, strangers rarely slipped into the Capitol Hill Club unobserved.

Rep. James Auchincloss (R-NJ), the Club's president, had a Cannon Building office which was strategically placed. From his window he had an eagle's-eye view of the Club's front door.

"If Auchincloss saw someone he didn't know go in, the telephone would ring, and he'd ask who was there," says Thompson.

Even before the Club moved to its present 1st St. S.E. location Thompson had started collecting elephants, and like the Club itself, the collection has grown over the years.

"I had an elephant or two on the bar when the Club was at 1st and Carroll Sts.," Thompson recalls. "Soon people started asking me what I wanted when they went out of town, and I'd say an elephant," he says.

The fabulous collection, on show in the Club's first-floor reception room, now includes all manner of elephants—jaunty elephants, sturdy and serious looking ones, and elephants that seem to have a joke or two up their trunks.

Thompson is particularly proud of the jade elephant brought back by a Nixon staff member accompanying the former President on his first visit to Peking. "The next group that went brought me an ivory one," he adds.

Another favorite came from closer to home—just over the Hill on the Senate side. It once graced the desk of the late Sen. Robert Taft (R-Ohio).

The highly valuable pachyderms will remain Thompson's as long as he lives; then they'll go to the Capitol Hill Club.

The Club isn't likely to get the elephants any time soon. Thompson makes it clear that he plans to be around—and as active as ever—after he retires.

Thompson looks hardly older than 50, and won't tell his age. That's another secret kept close to the chest.

It was his decision to retire. "I've always been an admirer of a person who walks out while he is still able and people still like him," says Thompson, as if having friends would ever be a problem.

He plans to travel—maybe to England to see Ted Miller's family (Miller is the Club's general manager). Thompson has visited there before and wants to go back.

"I'll tell you what I'm not going to do," he says. "I'm not going to sit in the park and feed the birds."

"And I promise I'm not going to write a book," he adds as an afterthought.

What about running for office?

"If anybody has any suggestions, I'm left wide open," says Thompson.

And so George Thompson departs, keeping the GOP's secrets. Only when the Democrats somehow creep into the talk does he loosen up a bit.

He is trigger-quick with an answer to whether the polls from the opposition are heavier drinkers than the Republicans.

"I know they are," he says, fast as white lightning. Then political circumspection slows him to caution: "They'll come and get me for that. Oh boy, I'm glad I'll still not be in the Club—they'd get me fired."

But Thompson can't resist a parting shot at the Democrats' drinking habits. "If I'd been working for them, I could have retired earlier—I'd have made more money." ●

UNITED STATES CONFERENCE OF MAYORS SHOULD RELEASE DATA ON DISTRICT OF COLUMBIA GUN LAW STUDY

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. ASHBROOK. Mr. Speaker, in July, the United States Conference of Mayors—USCM—released a statistical study purporting to prove that the District of Columbia's "Firearms Control Act of 1975" was responsible for a substantial reduction in firearms-related crime in the District of Columbia. The study was immediately disputed by the District of Columbia police, but it nevertheless has received prominent coverage in local and national media. It is now being used as proof of the need for harsh antigun laws.

If the National Rifle Association were to come forward with statistical proof on their side of this issue, stated in such uncompromising terms, they would be asked to present all their evidence and methods to public scrutiny. They would, of course, do so.

At my request, the Congressional Research Service has undertaken the task of reviewing the findings and methodology of this scientific study. A preliminary report by analysts Harry Hogan and Tom Gabe, available from CRS states that:

We have been thus far unable to obtain from the Mayors' Conference the basic data of the study and a full description of the steps by which the conclusions were reached.

Mr. Gilbert Gude, Director of CRS, has himself written to the USCM, asking for this material.

Mr. Speaker, I hope the United States Conference of Mayors will not hesitate to comply with this request. We are not dealing with anything which ought to be even marginally secret here. We are dealing with an announced conclusion based in part on known data and in part on data and methods which are known to those who have reached that conclusion but not yet known to independent experts who want to make their own judgments about that conclusion's validity. There are no trade secrets or classified defense information involved. The question is whether the experts commissioned by USCM will submit their work to the scrutiny of the open marketplace of ideas. If not, they and their work will rightly lose all credibility.

The preliminary report from CRS has already raised serious questions about the USCM study.

As CRS puts it:

... based on a review of the report itself, published articles cited in the report as sources of the methodology used, direct conversations with the authors, and partial documentation provided by the authors, we find substantial evidence that the study is flawed by an inappropriate model.

Also:

We believe that the questions raised by the methods used in the study present a serious challenge to the integrity of the conclusions drawn. Although the Firearms Control Act may have affected the crime rate in the District of Columbia, it is our judgment, based on the information at hand, that the study fails to establish such a relationship.

CRS concludes that:

In addition to the errors that we have already discussed, the model presents a number of other problems. Many of these problems are of a more technical nature (e.g., taking the logs of variables, the problem of autocorrelation) than those we have discussed in this memo. In order to determine what might be the effects of such methods, we would need to have the data at hand.

I think that the burden of proof is now clearly on the United States Conference of Mayors, and I hope they will acknowledge that fact and move promptly to disclose the information requested.

CONGRESSIONAL RESEARCH SERVICE,
LIBRARY OF CONGRESS,

Washington, D.C., September 19, 1980.

To: House Education and Labor Committee:
attention Bob Whitaker and Mary Jane Fiske.

From: Harry Hogan, specialist in social legislation; Tom Gabe, analyst in social legislation, Education, and Public Welfare Division.

Subject: Conference of Mayors' study of the District of Columbia firearms law.

In June of this year, the United States Conference of Mayors released a report entitled "An Analysis of the Firearms Control Act of 1975," the results of a study of District of Columbia crime statistics to determine the impact of a city gun control statute that became effective in February 1977. According to the report, the gun law has been responsible for a "significant reduction" in both handgun and total firearm crime. At the Committee's request, the Congressional Research Service has undertaken a review of the study and the conclusions drawn.

We have thus far been unable to obtain from the Mayors' Conference the basic data of the study and a full description of the steps by which the conclusions were reached, information we hope will be forthcoming in response to a written request from CRS Director Gilbert Gude (copy enclosed). Nevertheless, based on a review of the report itself, published articles cited in the report as sources of the methodology used, direct conversations with the authors, and partial documentation provided by the authors, we find substantial evidence that the study is flawed by an inappropriate model.

The authors use a statistical model (regression model) to test the hypothesis that the Firearms Control Act had a significant impact upon the reduction of both handgun and total firearms crime in the District of Columbia. Their conclusion—that the gun control law reduced crime—was based upon this model. Before addressing the particular model used, a brief discussion on regression analysis is in order.

Regression analysis is a statistical method in which an equation (model) is specified which relates the different values of a variable of interest (dependent variable) to a set of meaningful predictor variables (independent variables). In other words, the equation may be viewed as a means of estimating (or "predicting") the value of a variable of interest on the basis of a set of predictor variables. In addition to providing the ability to estimate, regression analysis may also be viewed as a means of better understanding how a set of variables relate to each other in a complex fashion. Through the use of such methods, it is possible to estimate the combined and separate effects of the independent variables upon the dependent variable. This feature of regression models makes it possible for the researcher to look at the effect of a specific independent variable on a dependent variable while controlling for other variables that might be masking a possible relationship between the two. When properly specified, statistical models of this sort may provide a convincing test of an hypothesis.

In most cases, a regression model does not account for all of the variation which is present in the dependent variable. As such, the estimated values of the dependent variable will only approximate the actual values. The difference between the estimated and actual values (of the dependent variable) is known as the error of estimate. Error in estimation may arise from a number of influences. For example, the variables which are used may simply be measured poorly. Additionally, the equation may contain errors in specification.

Specification errors may arise from two major sources. First, they may result from the choice of variables to be included in the equation. A coefficient estimating the effect of a single independent variable upon the dependent variable may vary greatly, depending upon the other variables that are included in, or excluded from, the equation.

For example, an independent variable in the equation may show a spuriously high regression coefficient simply because other variables, that might offer a plausible alternative hypothesis, have been excluded from the equation. Similarly, a regression coefficient for a specific variable of interest may be spuriously low because of the inclusion of other variables that are highly correlated with the dependent variable, but which have no substantive meaning. In order to avoid this problem, the researcher should choose variables that are theoretically or substantively related to the question of interest. Second, errors may arise from the misspecification of the shape of the relationship between the predictor variables and the dependent variable. Specifying a relationship between a predictor variable and the dependent variable as linear will introduce additional error into the estimation of a nonlinear relationship.

Several problems are posed by the regression equation used in the Mayors' Conference Study. The most serious and encompassing flaw of the study is the manner in which the independent variables in the equation are specified. Simply put, the equation is inappropriate for testing the authors' hypothesis. In the equation, total firearm crime is estimated from, among other things, the individual components of handgun and total firearm crime (e.g., firearm assaults, firearm homicides, handgun robberies, etc.). An equation of this sort merely constitutes a tautology: by knowing the values of each of the individual components that make up the measure of total crime, it is possible to account for all of the variation in the dependent variable (i.e., exactly predict total crime). If these variables were entered into the model as single terms, the coefficients of each of the components of crime would vary according to the relative contribution of each component to the measure of total crime. The inclusion of these variables in the equation may, in fact, create serious distortions by trivially accounting for most of the variation in the dependent variable.

The authors introduce further serious specification errors into their model by inappropriately multiplying various terms by each other. For example, they attempt to control for the time trend in the data by multiplying the variable time by the individual components of crime. Similarly, they multiply the law variable (indicating the presence or absence of the D.C. Firearms Act), the variable of greatest interest, by the separate types of crime. We believe that each of these variables (time and law) should at least have been introduced as separate terms in their equation. Multiplying these variables by the individual crime components leads to uncertain results. The regression coefficients associated with these variables cannot be interpreted as having any substantive meaning. The statistically significant coefficients of the law variable could be explained by the fact that it was multiplied by the individual crime components which, in themselves, account for most of the variation in the dependent variable (total crime). A misinterpretation of these coefficients could lead to the conclusion that the law had an effect.

Finally, the authors attempt to control for seasonal variations in the data. However, they incorrectly specify these terms in their prediction equation. In our conversations with the authors we were told that the seasonal component was represented by the values 1, 2, 3, and 4, for the months corresponding to Spring, Summer, Fall, and Winter. As the seasonal component is specified, crime would be expected to increase steadily over the four seasons, dramatically

drop, and then increase once again as the seasonal cycle is repeated. There is no empirical evidence that crime shows such a "sawtoothed" seasonal pattern, nor is there a reasonable theoretical rationale to suggest that crime varies in such a manner. The misspecification of this component diminishes or obviates the effectiveness of this variable to control for seasonal variations in the data.

In addition to the errors that we have already discussed, the model presents a number of other problems. Many of these problems are of a more technical nature (e.g., taking the logs of variables, the problem of autocorrelation) than those we have discussed in this memo. In order to determine what might be the effects of such methods, we would need to have the data at hand.

We believe that the questions raised by the methods used in the study present a serious challenge to the integrity of the conclusions drawn. Although the Firearms Control Act may have affected the crime rate in the District of Columbia, it is our judgment, based on the information at hand, that the study fails to establish such a relationship.

CONGRESSIONAL RESEARCH SERVICE,
LIBRARY OF CONGRESS,
Washington, D.C., September 11, 1980.

Mr. JOHN GUNTHER,
Director, United States Conference of
Mayors, 1620 Eye Street NW, Washington,
D.C.

DEAR MR. GUNTHER: In June of this year the Conference released a report on the effects of the District of Columbia Firearms Control Act of 1975. Responding to congressional interest, we are trying to develop a fuller understanding of this study. To that end, Congressional Research analysts have held discussions with Mr. Robert Nicholson and Ms. Anne Garner, who answered questions about the methodology used and supplied us with a number of useful documents. We appreciate their cooperation. Unfortunately, still lacking to our attempt to reconstruct the analysis are the basic data and full documentation of the computer model employed. It is our understanding that this essential material is now in the hands of the Brookings Institution and that there might be delays or difficulties in retrieving it.

I hope that interest on your part may serve to overcome whatever problems are involved in this matter. Our congressional clients consider the Conference study one of significance and, in view of the impact it may have on public policy, stress the importance of a thorough review by the Congressional Research Service. Your further assistance will be appreciated. Please direct any inquiries or responses to CRS analysts Harry Hogan (287-5867) or Thomas Gabe (287-7345).

Sincerely,

GILBERT GUDE, Director.

NUCLEAR ENERGY

HON. MARILYN LLOYD BOUQUARD

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mrs. BOUQUARD. Mr. Speaker, as a Member of this body who has long supported the development of nuclear energy, I am proud to insert in the

RECORD the statement of Ruth Faulkner, chairwoman of Nuclear Energy Women, given in May before the Democratic National Platform Committee.

This group of women strongly supports an increased role for nuclear energy in our Nation's search for energy independence. In sharing this goal with the members of NEW, I am proud to have been able to work with this group of dedicated women on an issue as important as solving our current energy crisis.

The statement follows:

STATEMENT BY RUTH FAULKNER

The fact that I am here representing Nuclear Energy Women, a national network of pro-energy women, is a statement on the undebatable role of energy in our society and a statement of an emerging reality.

It is a simple fact that today's labor force includes more than 43 million women who collectively earn \$85 billion. The emerging role of women in the work force is due in great part to the abundant and reliable supply of energy.

Too often these days the role of energy in our society, and particularly its relationship to the women of this nation, has been treated with simplistic statements about the frivolity of such things as electric blenders and other assorted household "gimmicks".

The reality is that our modern, energy-intensive society has doubled lifespans, provided historically unprecedented health care and reduced infant mortality rates to a fraction of those experienced by any nation in history and the envy of hundreds of millions in third world nations.

All this comes with a price—the price is energy. Indeed, the difference in per capita energy consumption between Western nations, where life-styles are largely similar, is significant when held against the third world nation's impoverished level of energy consumption.

This undeniable link between the health of our people, our children and the place of women in the United States leads NEW members to be anxious to voice their concerns over an unstable energy future.

The serious effects of the first Middle East oil embargo has been cited so often that they are now a tired litany. Nonetheless, the severe blow dealt to our economy by the 1973-74 embargo occurred when we obtained only 5 percent of our oil from the Middle East. We are now three times as dependent upon oil from this violently unstable region.

Events of the last year in Iran and Afghanistan, lurid as they have been, are but a small example of the monumental problems we will continue to face depending on this region for almost one quarter of all this nation's energy needs. The next loss of Middle East oil, and it is more a question of "when" rather than "if", promises calamitous results.

Were the United States to lose its current share of Persian Gulf Oil, professor Henry Rowen, testifying before the Senate Energy and Natural Resources Committee last week pointed to the real possibility of a \$200 barrel of oil; a drop in the gross national product by 18 percent; and an accompanying economic loss of \$520 billion.

There is no doubt that the time-honored system for lay-offs, "last-in, first-out", would result in massive unemployment for women and minorities of America.

Nuclear Energy Women does not look to the commercial nuclear industry to solve this serious and almost overwhelming prob-

lem. But we do look to nuclear energy as an essential part of the energy supply of the United States.

Electricity plays a crucial role in the U.S. energy mix. Above and beyond the often cited liberating values of the modern, electric kitchen, it is important to remember the integral role that electricity plays in modern medicine and health care. In addition, electricity will continue to play a role in directly substituting for oil through such things as efficient home heating, through heat-pumps and ultimately with electric cars.

Nuclear power's role in this country's energy future must be examined in the light of the fact that even with a "moderate", by historical standards, average electric growth rate of 3.1% a year since 1973, will still require that we build the equivalent of 500 new large generating stations over the next 20 years, and have the energy to fuel them—a truly formidable task.

It appears quite certain, as the recent National Academy of Sciences energy study pointed out, that only coal and nuclear energy will have the capability of supplying the bulk of this electricity until the turn of the century. Much as we all hope for alternative sources of energy, they simply will not be capable of meeting this challenge over the next 20 years or so.

What concerns us greatly in Nuclear Energy Women is that coal-fired electricity faces serious competition with the need for exporting coal to help our allies, and especially with its value for synthetic fuels, which are still in the research and development stages in this country.

Staggering demands will be placed on the coal industry which must increase its production and delivery capabilities by 2½ times by 1995. The ability of nuclear power to share the burden is currently being seriously eroded.

Furthermore, a recent study by the National Economic Research Associates shows that with this demand on coal, and if nuclear continues to face the excessive delays it now does, we could well need to import an additional 4 million barrels of oil a day by 2000. This would be more than counterproductive—it would be economic suicide.

Nuclear Energy Women recognizes the limitations of nuclear energy as well as its values. We also recognize the many problems that were dramatically highlighted by the accident at Three Mile Island.

We are confident that the industry has learned important lessons from that accident, and has gone a long way towards improving the safety of what is already a remarkably safe energy system.

We are also aware that most of the public concerns about nuclear energy are related to radiation and its effects—fears most often voiced by women. We have confidence in the scientists of this country, and with their ability to deal with and honestly discuss the problems where they exist. And we look to the government to provide the political and economic environment to allow America to get on with the task of building an adequate and safe energy supply.

Since its inception, nuclear power has been heavily regulated by the Federal Government—thus its future role depends to a very large extent on government actions. The lack of a clear national policy on energy and on nuclear power has nearly paralyzed the Nuclear Regulatory Commission. The resultant lack of stability in the regulatory process, and the lack of predictability in licensing schedules, is forcing utilities to choose other options for providing needed additional capacity, even though new nuclear capacity would later provide lower cost electricity, have far less impact

on our environment, and would depend upon assured domestic supply of fuel.

Every poll has shown that a majority of Americans support the use of nuclear power. We find it incredible that our great nation has been allowed to drift into a position of extreme energy vulnerability while we have tied our own hands by our seeming inability to move forward with the vast potential of our nuclear resources.

Nuclear Energy Women believes it is crucial that the Democratic Party take a strong and positive stand on nuclear power—acknowledging the need for stringent safety standards and the need to be honest with our people about its problems as well as its benefits—also recognizing it as a key element in reducing our country's vulnerability, protecting our environment, providing affordable electricity, and maintaining a strong economy which can support the hard-won jobs held by women and minorities. We must cure the inflation rate, but not at the expense of high unemployment due to high energy cost, or lack of energy supply. Nuclear energy's role is obvious.

A clear policy statement by the Democratic Party, if coupled with a clear direction from the Administration, will allow us to regain a regulatory climate, and maintain a prudent public attitude, which will allow our nation to move forward safely and deliberately with nuclear power.●

JAPAN-UNITED STATES TRADE DEFICIT

HON. JOSEPH L. FISHER

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. FISHER. Mr. Speaker, I wish to express my support for House Concurrent Resolution 376, the Japan-United States trade resolution, of which I am a cosponsor. This resolution urges Japan to accept more responsibility for the huge trade deficit with the United States, and to take measures, with U.S. cooperation, to reduce the size of this deficit and improve trade relations between our two countries.

As a member of the Trade Subcommittee, I have had the opportunity for concentrated study of international trade developments over the last few years. By profession I am an economist, and so I bring to this area a certain amount of expertise. Coming from this background, let me say that I am very concerned about the trade situation we have with Japan, and I have been for some time.

In the past 10 years, our trade deficit with Japan has amounted to some \$47 billion, and matters are likely to continue this way for the next several years. The Japanese Government has contributed to this deficit by its restrictive trade practices, particularly in the areas of agricultural goods, high technology items, processed raw materials, and services. While the United States is fairly open and receptive to Japanese goods, Japanese practice has been to prevent or restrict American imports by imposing uniquely rigorous standards and testing requirements, establishing difficult customs appeals processes, and levying high tariffs.

These practices have resulted in artificially high prices for American goods in Japan, or their complete unavailability in that country.

For example, the price of domestic beef in Japan is often as high as \$10 to \$20 per pound; yet, lower priced American beef imports are held to approximately one-half pound per person annually. In another example, the Japanese National Railroad, which controls and operates 80 percent of Japan's domestic railway network, buys none of its steel railroad wheels and axles from the United States. This is true even though the U.S. product sells for approximately 50 percent of the cost of comparable Japanese products, and even though U.S. manufacturing firms have tried to solicit Japanese business in this area.

We have already made some progress toward reducing the trade deficit. Japan has recently agreed to relax many of its standards and licensing requirements, and has made commitments to encourage Japanese investment in the United States. But much more needs to be done if we are to successfully reduce what could be a \$16 billion deficit in 1981 alone.

I believe that the best way to achieve a strong, healthy economy is to encourage trade, unencumbered by artificial trade barriers. If the trade deficit with Japan is allowed to continue, I believe it could erode support among American industry for open trading practices and could contribute to protectionist sentiment. Protectionism is not the answer; carried to its logical extreme, it would restrict American business and that of every other country to a domestic market rather than a multinational one. The best answer to a healthier economy is to strongly encourage other countries to allow American products to compete in their markets without unjustified limitation. The Japan-United States trade resolution is a move in the right direction.●

TROY DEDICATES UNCLE SAM MONUMENT

HON. GERALD B. H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. SOLOMON. Mr. Speaker, on October 18, citizens of Troy, N.Y., and surrounding communities will gather at the corners of River and Front Streets in Troy to celebrate the fruition of many years of hard work—the dedication of the Uncle Sam Monument.

The Uncle Sam Monument serves as formal and permanent recognition that Troy, N.Y., is the home of Samuel Wilson, who was officially recognized by the U.S. Senate as the progenitor of America's national symbol "Uncle Sam" in Senate Concurrent Resolution 14, agreed to on September 15, 1961.

The path which led to this official recognition was long and arduous and is accurately recalled in an article by John Scanlon in the Troy Times-Record on August 10, 1980. I think the reprinting of this story in the CONGRESSIONAL RECORD is important to all Americans in that it describes the history of the movement to find a permanent home for one of America's best-loved national symbols, Uncle Sam himself:

[The article is attached.]

THEY TOLD THE NATION: TROY IS UNCLE SAM'S HOME

The thousands of people who will attend the dedication of the Uncle Sam Monument at River and Front Streets Sept. 13 will have no doubt that Troy is The Home of Uncle Sam. Nor will many other people throughout the country.

But it took a lot of perseverance, research, lobbying and dedication on the part the Veterans for Uncle Sam back in the late 50s and early 60s to win that designation for Troy. The sad part of it is, though, only a few of them will be around to see the monument dedicated. The picture with this article shows some of them with Gov. Nelson Rockefeller as he proclaimed Troy as The Home of Uncle Sam in 1959 and, of that group, only Frank Mealy and Marty Mahar are still alive.

Mahar said the idea of getting the Uncle Sam designation for Troy was nothing new. Various Troy groups, political leaders and businessmen had long sought that goal. "Dean Taylor (former congressman from Troy) was one of the prime movers and he realized that the best way to get it done was through the use of the veterans' clout," Mahar explained. "It was in the post-war years when the veterans had a lot of influence."

So Mahar, Mealy and Abe Goldstein, Troy lawyer and later Police Court judge, formed a temporary committee which met at Goldstein's offices on State Street and named Mealy temporary chairman. Later, in 1957, Mahar was named permanent chairman, with Julian Mason co-chairman and Mealy legislative liaison and secretary.

Thus began the movement that made Troy The Home of Uncle Sam. Other groups and businessmen continued their efforts but the main thrust was made by the Veterans for Uncle Sam. The group, in addition to Mealy, Mahar, Mason and Goldstein, included Ben and Sol Chuckrow, Ben Steiner, Tom Murphy, John Manning, Herb Goetz, Tom Sharpe, Tom Gerson, Ed Wachter, Sam DiNova, Henry Del Cogliano, Paul Gregware, Adelbert Kendrick and Mayor Jack Purcell.

Mealy had also been affiliated with the National Cemetery Committee, dedicated to the establishment of a national cemetery honoring Sam Wilson in Troy. Even though that goal was never achieved, Mealy said he was happy that the two groups finally gave Uncle Sam an official home.

After gaining recognition on the city and state levels for Troy as the Uncle Sam city, the vets went to work on the national scene. They knocked on doors in Washington with the help of Taylor, Congressman Leo O'Brien and, later Congressman Sam Stratton of Amsterdam. Taylor and O'Brien drew up the legislation and the vets attended national veterans' conventions throughout the country, winning near-unanimous support for the measure.

But they didn't stop there. Mahar recalls that Gerson, a Times Record reporter, became obsessed with the idea of making Troy The Home of Uncle Sam. "He contact-

ed educators and historians throughout the country to document that Wilson belonged to Troy more than any other city." Reporters who worked with Gerson at the time say he jeopardized his job as a bureau reporter in his endless drive for Uncle Sam.

As the legislation was debated in Washington, representatives from other areas, including Arlington, Mass. where Wilson was born, presented arguments for their communities—and the debate dragged on.

"We moved into Washington with a busload of Troy supporters including Carl Grimm, Ed Wachter, Purcell, Fred Curtis and Bert Hoffman, director of Oakwood Cemetery where Wilson is buried," Mahar recalled. Wachter was a nationally-known former college star in virtually every sport. His height, graceful movement and handsome features resembled those of Sam Wilson. Thus, he portrayed Wilson in area parades and other functions, wearing a white goatee and star-spangled red, white, and blue suit and stove-pipe hat.

"Wachter was dressed as Uncle Sam the day we went to Washington," Mahar said. "It was a holy day of obligation and we went to Mass. When Ed walked into the church, everybody began to turn around and the buzzing was such that the priest stopped the Mass for a look at Uncle Sam."

Mahar added that, during the day, the huge frame of Wachter, as Uncle Sam, graced the steps of the Capitol and tourists began taking pictures of "Uncle Sam" with the Capitol in the background. A group of Korean visitors thought it was an every-day occurrence to see Uncle Sam walking out of the Capitol.

It proved that the figure was internationally known. But the Troy group wanted it equally well known that Uncle Sam had a home in Troy. So the Troy vets had moved on Washington with transcripts of hearings, pictures, clippings from newspapers in Massachusetts, New Hampshire and New York (mostly from the Troy Record), with Gerson's research and that of the late Rensselaer County historian Rutherford Hayner and with statements by area representatives in Congress.

Taylor and O'Brien had introduced the Troy legislation in the House Judiciary Committee and the Troy vets testified before that panel in 1959. Mason, then chairman of the Veterans for Uncle Sam, presented Troy's case at a lengthy hearing before the Senate Committee of the Judiciary July 11, 1961. Shortly thereafter, the House and Senate passed a joint resolution designating Troy, N.Y. as The Home of Uncle Sam.

"The thing that clinched it," Mahar said, "was our proof that, even though he had ties in other places, he was never nationally-known until he came to Troy."

Wilson's Troy connection is summed up by the Encyclopedia Americana which says, "During the War of 1812, merchants of Troy supplied large quantities of provisions to the American Army. Samuel Wilson, who slaughtered cattle and packed beef in Troy, supplied his beef to the Army, packed in 'full bound barrels of white oak.' It soon became known as Uncle Sam's, as Sam Wilson was familiarly called, and from this grew the well-known appellation, Uncle Sam, as applied to the U.S."

Even before the resolution had been adopted, Troy was already celebrating its status as The Home of Uncle Sam. Mahar said Troy staged an Uncle Sam parade in 1959, led by Grandma Moses as grand marshal. It was the second biggest parade in Troy's history.

Time has taken its toll on the membership in the Veterans for Uncle Sam. But the few remaining members are still working with

the new Uncle Sam Monument committee arranging the dedication ceremonies. The rites, on Sept. 13, will mark a successful climax to a drive started by some dedicated veterans a generation ago. "We're still incorporated," Mealy explains, "but after the dedication, we'll quietly fade away." ●

MARITIME CHAPLAINS ECUMENICAL CONFERENCE

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. ANDERSON of California. Mr. Speaker, later this month, the second annual joint ecumenical conference between the International Council of Seaman's Agencies and the National Catholic Conference of Seafarers will be held in San Pedro, Calif., in my congressional district. While both of these groups will also hold their annual meetings in San Pedro separately, they will join together for 2 days of discussions and workshops, to be capped off with a banquet which I will be pleased and privileged to attend. I would like to take a few moments now to address for the benefit of my colleagues those issues which the participants in this conference plan to discuss.

The theme of this conference, to be held on October 21-22, is, "Serving the Seafarer in the Nineteen Eighties: Challenges and Opportunities for a United Witness." Hosted by the Seaman's Church Institute, whose chaplain, Rev. Arthur Bartlett, is also the conference's program chairman; this joint effort is being coordinated with the assistance of Msgr. Thomas Kiefer, pastor of Mary Star of the Sea Roman Catholic Church in San Pedro, Pastor Abraham Brekne of the Norwegian Seaman's Center in San Pedro, and Rev. John Montagna, director of operations for the Catholic Maritime Club in Wilmington. The annual meeting of the International Council of Seaman's Agencies will be held at the Norwegian Service Center, while Mary Star of the Sea Church will host the National Catholic Conference of Seafarer's annual meeting.

With over 100 chaplains in attendance, Mr. Speaker, the problems to be addressed in this joint meeting are many. Over 8 million seamen worldwide are served by these and similar organizations, who provide them with much needed support services both on shore and at sea. Resource centers aid these mariners with, among other things, on-the-spot information about short-term housing, a problem acutely felt in my own harbor area and elsewhere. The problem of alcoholism, and how best to deal with it, is a further dilemma for a chaplain who is required to provide maximum aid and comfort while utilizing the barest minimum of resources. That chaplain is also faced with a very short period of time in which to accomplish all he

wants to do, since most seamen are in port for only a very few days. Port safety is another area that will be discussed at length during these meetings, as well as the health and safety of mariners at sea.

This is only a sampling of the common concerns that all these chaplains share. More and more women, having entered the work force, have opted for a career at sea, and their numbers in the merchant fleets of the world have grown. Suitable adjustments to a previously all-male environment need to be taken into account, as well as the men's reactions to the presence at sea of their new colleagues.

Both the International Council of Seaman's Agencies and the National Catholic Conference of Seafarers want to end the duplication of services in the port areas, while at the same time increasing their efforts to aid seafaring men and women with respect to secular welfare needs.

In my own Los Angeles Harbor, Mr. Speaker, a counseling center and a facility for alcoholic seafarers have been created. While mariners are extremely transient, spending only a few days in any given port, we need to expand our efforts to provide the services that these men and women desperately need, both on land and aboard ship. I applaud the initiative of these organizations meeting together later on this month for trying to concretely alleviate these problems, and am certain that their conference, as well as the annual meetings, will be very successful. Furthermore, I would like to inform my colleague, Representative BO GINN, that the third ecumenical conference will be held in Savannah, Ga., in his congressional district, next year. I am certain that he will be as pleased as I am to have such well meaning and responsible organizations helping not only the mariners of our respective congressional districts, but those seafaring men and women of this Nation, and the entire world. ●

SMALL BUSINESS INVENTORY SIMPLIFICATION ACT OF 1980

HON. HENRY J. NOWAK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. NOWAK. Mr. Speaker, I am introducing legislation designed to help labor intensive small business cope with the high rate of inflation and overcome the complexity of the tax law on accounting for inventory. H.R. 8264 would amend the Internal Revenue Code of 1954 to allow certain small businesses to use the cash receipts and disbursements method—cash method—of accounting.

H.R. 8264 permits a qualified small business to use the cash method if its average annual gross receipts for the current taxable year and the preceding 2 taxable years do not exceed \$1.5

million. A qualified small business is generally defined as a trade or business with active participants who own at least 50 percent of the business. For purposes of the bill, an active participant means an individual who is actively involved in the management of the business and whose principal business activity is such business.

BACKGROUND

In February and June 1980, the Small Business Subcommittee on Access to Equity Capital and Business Opportunities, which I chair, held hearings on inventory accounting as a burden on the capital formation process. These were the first congressional hearings ever held on the issue of simplifying the tax regulations dealing with accounting for inventories. Tax simplification is important to small business as it would increase cash flow and thus, aid capital formation.

As a result of these hearings, the subcommittee will release a report this week making four recommendations to Congress on inventory tax reform. H.R. 8264 implements the recommendation that specified small business be allowed to use the cash receipts and disbursements method. The other recommendations entail consideration of a simplified last-in, first-out (LIFO) method for small business, easing the current procedures as to when a small business can write down inventory and allowing small business manufacturers to use a method other than the full absorption method.

H.R. 8264 provides a qualified small business with a reduction in taxable income in periods of inflation, by permitting the expensing of inventories when purchased. This bill is designed to help those businesses which would not have the sophistication to elect LIFO, no matter how simplified LIFO is made.

In particular, H.R. 8264 eliminates much of the confusion small business has with the current tax law on accounting for inventories. Hearing testimony suggest that small business use an accounting method which more readily conforms to its recordkeeping and not necessary to tax rules. In particular, a National Federation of Independent Business (NFIB) survey shows that only 12 percent of the firms responding chose an accounting method because it conformed to the Tax Code. Further, the survey indicated that 25 percent of the firms currently use the cash method; 8 percent of the firms responding did not know what method they were using.

OPPOSITION TO THE CASH METHOD

The Department of the Treasury is generally opposed to allowing small business to use the cash method of accounting. It considers such a change in the tax law as being a departure from generally accepted accounting principles (GAAP). In addition, it is believed that the cash method would lead to a distortion of income as there is not a proper matching of income and ex-

penses. Treasury sees this as a potential area of tax shelter abuse, analogous to the cattle breeding area. Despite the opposition to the cash method, there is a precedent for its use. Farms with less than \$1 million in gross receipts, and certain family operated farms, are currently permitted to use the cash method of accounting.

Treasury believes that abuse will occur as more and more individuals see the cash method as a way to shelter their income. It sees the inevitability of tax shelter promoters offering investors an opportunity to become partners in a new business which will purchase inventory for later years. Additionally, Treasury fears that unsound business practices could result in small business persons buying more inventory than is needed for ordinary business purposes.

These arguments give little credence to the fact that it makes little sense to buy more inventory solely to save money on taxes. In particular, its arguments do not acknowledge the carrying costs involved in keeping an inventory on hand, such as insurance, interest on receivables, storage, and so forth.

A CASH METHOD APPROACH GEARED TO THE BUSINESS PERSON ACTIVELY INVOLVED IN THE MANAGEMENT OF THE BUSINESS

H.R. 8264 addresses the Treasury's argument that the use of the cash method by small business will lead to tax shelter abuse. The bill limits the potential for tax shelter abuse by permitting only a qualified small business having active participants to use the cash method. In addition, there are existing IRS rulings and procedures which could be used to limit the potential for abuse. One particularly effective IRS pronouncement is Revenue Ruling 79-229.

Although the factual situation and holding of Revenue Ruling 79-229 is confined to the determination of the treatment of an advance payment for livestock feed, it could easily be extended to cover the small business person using the cash method.

In a letter to the subcommittee, dated September 5, 1980, the IRS described Revenue Ruling 79-229 as "particularly effective when applied to closely held investor oriented groups that are usually formed to take advantage of syndicated tax shelter schemes."

H.R. 8264 IS A STEP TOWARD COMPREHENSIVE INVENTORY REFORM

H.R. 8264 is part of a comprehensive package of bills which have been, or will be, introduced on inventory tax reform. I have already introduced H.R. 7851, the Retailer Inventory Reform Act of 1980. H.R. 7851 allows retail stores to use price indexes published by the Bureau of Labor Statistics when using the retail method of pricing LIFO inventories. Other bills will be introduced to extend the use of

published indexes—as prepared by Government agencies—to all types of businesses, and to reduce the number of LIFO pools for small business. In addition, bills will be introduced to ease the current procedure as to when a small business can write down inventory and to allow small business manufacturers to use a method other than the full absorption method of inventory costing. All of these measures are designed to initiate congressional discussion of this most important small business issue.●

BALANCING THE BUDGET AND OTHER STEPS TOWARD STABILIZING AMERICA'S ECONOMY

HON. JOHN P. MURTHA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. MURTHA. Mr. Speaker, I doubt there has ever been a year in Congress when more time and debate was devoted to the Federal budget, taxes, and Federal spending. As this session of Congress nears its conclusion, I would like to make some observations about some of those key decisions.

BUDGET

On May 7, 1980, the House of Representatives endorsed the first balanced budget in 12 years by voting 225 to 193 in favor of the first budget resolution for 1981. I was pleased to cast my vote for that resolution. The balanced Federal budget can be a key step in helping to control inflation, and restoring public faith in the ability of the Government to run its own house with fiscal integrity.

It now appears, however, that when Congress considers the second budget resolution that we will have to abandon the plan for a balance. The causes for that are clear: the recession and high unemployment. The recession has caused an economic slowdown that means business produces less and produces less Government revenue, as well. Moreover, for each percentage point of unemployment above 4 percent, it is estimated by the Congressional Budget Office that the Federal Treasury loses \$20 billion in lost tax revenue from people not working, and payments in assistance programs for the unemployed. Those two factors on the budget will prevent us from reaching a balance.

Still, we have laid the groundwork for reaching it in the next couple years as the economy and employment improve. Moreover, we have shown a desire to discipline ourselves. In fact, during the debate on the budget resolution I voted for an alternate plan that would have cut an additional \$14 billion in spending. The amendment failed, but only by a vote of 175 to 242 showing that sentiment is strong for not only balancing the budget, but also cutting back on total Government spending.

This carried over during the consideration of individual appropriation bills. The President's actual budget request will likely be reduced by some \$10 billion, and mark 35 out of the last 36 years that Congress has reduced the President's budget request.

In sum, I think the mood is stronger than ever for a balanced budget, and I think it can be reached in the next couple years if the economy strengthens.

BUDGET AMENDMENTS

Many people this year advocated a constitutional amendment to limit Federal spending. I opposed that idea because: First, I do not think we need to amend the Constitution to reach this goal, I think we should be able to do it with our own discipline; and second, because none of the amendments I studied left enough latitude for extra spending in the time of a military disaster, domestic disaster like a flood, volcano, or hurricane, or unforeseen circumstances.

In March, however, I joined with majority leader JIM WRIGHT of Texas in sponsoring a different proposal. The proposal would work like this: First, the President would submit his budget as is the present case; second, Congress would enact the individual spending bills as presently done; third, in March the new law would require an independent auditing agency to check the work of Congress and the President; fourth, if that independent check found the budget to be in balance, then no further action would be necessary, but if that audit found it out of balance, then an automatic correction would be made; fifth, that correction would work like this—if the audit projected a \$10 billion deficit and this represented 5 percent of controllable expenditures, then every controllable expenditure would be reduced by 5 percent to insure we were in balance; and sixth, only a specific request by the President and a majority vote in each House of Congress could throw the budget back out of balance after that point, thus leaving room for an emergency, but insuring that it is a legitimate one.

I think such a plan can help. I still think we can best reach and stay at the balanced budget goal through self-discipline, but if we need a plan, I endorse this approach.

TAXES

The third key debate this year has been on taxes. This is an area where I think we need reason.

There have been talks about personal income tax cuts ranging from 10 to 33 percent as a way to stimulate the economy. Well, the best economic minds in the country raise concerns about such a tax cut, concern that it would add to inflation, and concern that it would add tremendously to the budget deficit at a time when we are moving in the opposite direction.

Rather, earlier this year I endorsed a three part tax reduction plan:

One, an offset of the increase in social security taxes scheduled for January, 1981. This will provide some tax relief while still keeping the social security system sound for our retired citizens;

Two, an increase in the business depreciation schedules which will allow for more plant investment and expansion, thus creating more jobs; and

Three, a special tax rebate of \$1,500 on new American made cars when purchased while trading in a pre-1976 model. This will help our sagging auto industry, and also get cars with better fuel mileage on the roads.

That is the type of targeted tax policy I think we need. I do not think general, percentage tax cuts will help the economy, the budget, or, in the long run, individuals. I think, rather, we have to target our tax savings at specific problems that can be resolved with tax cuts.

I appreciate this opportunity to outline my views on these issues. The economic debate will continue to be a key to the eighties, and I believe we will be successful in overcoming these problem areas.●

FROM REAGAN, NO FREE BIKE, BUT A RIDE TO WORK

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. KEMP. Mr. Speaker, if I could describe Governor Reagan's philosophy of government in a sentence, I would say that he plans to restore the principle of matching effort and reward. He wants to restore the incentive for earnings, and restore a stable currency to preserve the value of savings.

Lewis E. Lehrman, chairman of Rite-Aid Corp. and president of the Lehrman Institute, is a man who shares this vision of society, both as a successful entrepreneur and a respected academic. Mr. Lehrman, who is also chairman of the economic policy committee of the New York Republican Party, recently explained in a Daily News article what this vision means for our home State of New York.

Contrasting Governor Reagan's program with the approach to government of the current administration and congressional majority, Mr. Lehrman concludes:

If Ronald Reagan is elected, New Yorkers may not get free bicycles from Washington. But they will once again be able to ride to work in a growing economy.

I commend this excellent article to my colleagues.

The article follows:

FROM REAGAN, NO FREE BIKE . . . BUT A RIDE TO WORK

In recent years, a President's impact on New York has been evaluated in light of the grab bag of special programs, subsidies and grants that an incumbent or White House

candidate promises to "deliver" to the state and city. New Yorkers are then expected to gauge whether the Republican or Democratic nominee promises a fairer return on the taxes New Yorkers send to Washington.

The voters vaguely keep track of the campaign "bidding" by candidates on federal grants but not on the details of the contracts. They have, in truth, read too often of billion-dollar programs to make the trains run on time, put the muggers in jail, grow new houses in the South Bronx and get the garbage out of Times Square. They are skeptical—and rightly so.

So is Ronald Reagan. That is why his election would be good for New York. Reagan's message to us in New York is unique. He is not promising to pilot Rudolph and the rest of the federal reindeer into LaGuardia with a load of categorical grants and accompanying restrictive and costly mandates. He is not promising to give more to New York—but to take less of what we earn. He believes that New Yorkers, not Washington politicians and bureaucrats, should control their own paychecks.

Reagan is like the parent whose 13-year-old comes home and asks for a bicycle. The parent tells the boy that he must earn the money to buy the bicycle. The kid then complains bitterly that Johnny's mother has promised to buy him one.

If parents buy everything children want, they come to "expect" everything. It doesn't build character but it avoids "trouble" at dinner. If parents try to foster initiative and self-reliance, however, their children may not be so happy. They may even think their parents are "mean." But they may only be good parents. The analogy, of course, can be carried too far.

Gov. Reagan does not think that the federal government should be our Big Daddy. He does believe that it should encourage in its citizens the values that made our state and our nation great: initiative, thrift, enterprise and hard work. The economic policies that Gov. Reagan proposes can do just that; they can make New York State great again.

Those policies will be based on the fundamental principle that the wages and savings of working people must have a stable value. To stabilize the value of the dollar, Reagan is dedicated to reducing both the growth of government spending and the growth of the money supply. The end of inflation will be the cornerstone on which the Reagan administration's economic program will be built.

First, Gov. Reagan believes that this nation's working people need a cut in personal income-tax rates patterned after the Kennedy tax rate reductions of 1963-64. And he believes we need a cut in business taxes through an accelerated capital depreciation schedule. Responsible advocates of a carefully planned tax cut understand that reduced tax rates will spur economic activity.

Gov. Reagan understands that creation of jobs requires capital investment. Government can provide a phony stimulus to the economy with phony jobs subsidized with phony money printed by the Treasury and Federal Reserve. But if government is serious about economic growth, it will reduce the growth of government spending and stop hogging the potful of savings which will generate growth. The Treasury Department has announced that it will borrow about \$50 billion in the last six months of 1980 to satisfy the federal government's voracious appetite. Imagine the impact of the \$50 billion if it were available to big and small firms in the private capital market. Government must leave this capital in the capital markets for private enterprise to create jobs.

In New York State where manufacturing plants are often aging and obsolete, new capital is especially critical to the state's future. Only capital investment—not government press releases—can create jobs.

Reagan also understands that small businesses and farms are hit hardest by Jimmy Carter's economic policies. He understands that in spite of Carter's policies, two thirds of the new jobs created in this country in recent years were in small businesses; that while small businesses provide economic growth for this country, their vitality is being sapped by double-digit inflation, double-digit interest rates, Treasury Department demands on credit markets and bureaucratic spider webs of paperwork.

Small business is also the backbone of New York. In the New York metropolitan area alone, there are almost 400,000 small businesses. If small business can be revitalized, New York will be revitalized.

One way of helping small business is the Urban Jobs and Enterprise Zone Act, a bill introduced by Rep. Jack Kemp. It is based on the premise that what our depressed urban areas require is real economic growth, engineered by urban entrepreneurs. The zone seeks to create a more attractive commercial climate by dramatic reductions in burdensome government regulations and taxes. The bill is co-sponsored by Rep. Robert Garcia, a Democrat from the South Bronx.

Such a program will give residents of these areas an incentive to help themselves, without the intrusion of Uncle Sam distributing government grants with one hand and collecting taxes with the other.

Reagan agrees with black economist Walter Williams that this country's laws and regulations have effectively discriminated against minority youth. Despite \$90 billion spent on national manpower training programs over the past 15 years, the problem of minority joblessness has worsened rather than improved. In New York City, estimates of black teenage unemployment run as high as 60 percent.

Gov. Reagan understands that the solution to many of our problems in New York is new savings with which we then can recreate a vibrant economy. But he believes that New Yorkers in Queens Village and Mineola will do a better job of determining their own budgets than planners in the Department of Housing and Urban Development. If Ronald Reagan is elected, New Yorkers may not get free bicycles from Washington. But they will once again be able to ride to work in a growing economy.●

JUSTICE DEPARTMENT PUTS OFF CHICAGO BUSING PRESSURE UNTIL AFTER ELECTION

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. ASHBROOK. Mr. Speaker, we are all aware that, as the November election approaches, Federal money is being poured into areas where the administration needs votes. Further debate on the President's budget, with its massive deficits and small, grudging defense increases in the face of growing international threats, has also been put off until after the election.

This pattern is being followed in another sensitive area. Last week, the Chicago school board was given until

March to provide a desegregation plan which would minimize forced busing. Until safely after the election, Chicago's voters are to be given the impression that a new day of reasonableness has arrived in the Carter administration's attitude toward busing.

The citizens of Chicago have every right to feel relieved that, for 6 months, at least part of the effort they have diverted to bureaucrats' obsession with racial quotas in schools can go into meeting that city's real educational needs. But the relief results from the fact that this administration is in deep and deserved political trouble in Illinois. When the pressure is off, the relief will end.

Whether it be in the case of budgets or busing, another 4 years under a Carter administration will be the same as the last 4 years under a Carter administration.●

THE U.S.S. "NAUTILUS" TO COME HOME TO CONNECTICUT

HON. CHRISTOPHER J. DODD

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. DODD. Mr. Speaker, I am very pleased that the Congress has completed final action on the military construction program for fiscal year 1981 today.

For the past 3 years, the people of Connecticut have been working to insure that the U.S.S. *Nautilus*, the world's first nuclear-powered submarine, is returned to Groton, Conn., where she was built and where she was home ported for her entire 25-year career.

It has been a long and a hard fight to see the *Nautilus* returned to Groton, but today final congressional approval was given to send the *Nautilus* home. Both the military construction authorization and appropriation include \$1.93 million to establish a U.S.S. *Nautilus* memorial in Groton. Significantly, Connecticut will be contributing an even larger share of the siting costs to insure that this historic vessel becomes part of a fitting memorial to the men of the U.S. Navy who sailed her and the men and women of Connecticut who built her.

It was the fact that Connecticut was willing to help shoulder the financial burden of establishing a *Nautilus* memorial that convinced both the House Armed Services Committee and the House Appropriations Committee that Groton, Conn., was indeed a fitting site for the *Nautilus*.

I look forward to President Carter signing the military construction bills in the near future, and I especially look forward to the time when the *Nautilus* sails up the Thames River in Connecticut to reach her permanent home.●

TRIBUTE TO JERRY HARWIN ON HIS RETIREMENT FROM CITY OF SANTA BARBARA PARKS AND RECREATION COMMISSIONS

HON. ROBERT J. LAGOMARSINO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. LAGOMARSINO. Mr. Speaker, I wish to bring to the attention of my colleagues the community service provided by one of my constituents. It is my privilege to commend Jerry Harwin for his distinguished and unselfish dedication to the good people of Santa Barbara. Jerry Harwin is retiring as a recreation commissioner for the city of Santa Barbara.

He was appointed to the recreation commission in 1961 and until his retirement he has generously given of his time and efforts as a member of both the parks commission and the recreation commission serving as chairman of both commissions for several terms.

Mr. Harwin is a valued member of the Santa Barbara community. As a small businessman, he has operated Harwin's Jewelers since 1944 and has the respect and admiration of the business community for his hard work, his integrity, and his goodwill.

He and his lovely wife, Bess, have two sons and four grandchildren. Jerry Harwin has devoted his life to serving our great community. To highlight just a few of his many accomplishments: He has served on the Santa Barbara Airport Commission, he is a past president of the Santa Barbara Host Lions Club, a past district governor of Lions International, past exalted ruler of Santa Barbara Elks Lodge 614. He is also a founder and past president of the Athletic Round Table, an organization dedicated to the support of athletes of all ages and abilities; a past president of the Santa Barbara Boxing Club, recipient of the MacFarland Sportsman of the Year Award, board member of the Youth Basketball League, founder and past president of the UCSB Gaucho Hoop Club, and a recipient of the Mayor's Honorary Award for community service.

Jerry Harwin has been a driving force in the development and improvement of several of our city parks, and their world-reknowned beauty speaks well for Jerry's efforts.

Jerry is a man who intensely loves our beautiful city of Santa Barbara and this great country in which we live. He is known as "Mr. Recreation" in our community as he has played a leading role in promoting numerous activities to serve the recreational needs of every age group, from toddlers to senior citizens.

The grateful people of the 19th Congressional District salute Jerry Harwin on his retirement from service to his

community as a recreation commissioner.

Jerry, however, is not a man to retire altogether from community service. As founder and president of the Las Positas Park Foundation, he has undertaken a community drive to raise \$3 million in order to convert a former dump site into a 94-acre park. Although such a task may appear awesome, we have no doubt that Jerry's leadership ability and dedication to the task at hand will result in a community park we can all take pride in.

We extend to Jerry our thanks and we wish him Godspeed in his continuing tireless efforts to improve the quality of life for his fellow man.●

H.R. 8210, THE AGRICULTURAL DISASTER RELIEF ACT OF 1980

HON. ROBERT W. DANIEL, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 1, 1980

● Mr. ROBERT W. DANIEL, JR. Mr. Speaker, I introduced H.R. 8210, the Agricultural Disaster Relief Act of 1980, because I am convinced that something must be done to help the American farmer through one of the worst years he has ever experienced. For the past several years, he has suffered under an unfavorable cost-price ratio. This year's bad weather might be the last nail in the coffin of many American farmers unless we act soon.

H.R. 8210 would allow the Secretary of Agriculture more flexibility in alleviating the current severe credit problems of the American farmer, and, for many, dispel the specter of foreclosure until he has a choice to recover when normal market and weather conditions return. The bill would allow the Secretary to implement a national 3-year moratorium on the repayment of principal and interest and on lower foreclosures, when economic or climatic emergencies severely impair repayment ability. For areas that have suffered natural disaster for 2 out of the last 3 years as well as in 1980, the bill mandates a 3-year moratorium.

This bill does not take away the farmer's right to fail under our free enterprise system. But it might save many from going under who, despite ceaseless toil and the application of the best scientific techniques, cannot cope with an extraordinary combination of adverse weather and market conditions.

Let me discuss briefly the situation in my State. A senior economist with the Virginia Department of Agriculture and Consumer Services estimates that the 1980 drought could bring about the lowest farm income in 40 years. In Virginia, it could well decrease as much as 69 percent from last year, from \$248 million to \$78 million.

This year's drought, the worst in memory, may have caused crop damage in excess of \$300 million. On top of this, Virginia farmers will enter 1981 with the highest ever total farm debt, an estimated \$1.52 billion. One estimate of national farm indebtedness stands at \$160 billion. Perhaps you should consult the Agricultural Department in your State to see how your farmers fit into this grim picture.

If, after being pounded by the last few years, your farmers are strong enough to get through this year, they have my congratulations. If they are not strong enough, or if you have many young farmers who cannot borrow against a lifetime of accumulated assets, you should consider co-sponsoring this bill, which is a lifeline to many American farmers. Each American farmer feeds 70 of us. Let's do something for them.●

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of

all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an interim procedure until the computerization of this information becomes operational, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Any changes in committee scheduling will be indicated by placement of an asterisk to the left of the name of the unit conducting such meetings.

Meetings scheduled for Thursday, October 2, 1980, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

OCTOBER 7

9:30 a.m.

Judiciary

Limitations of Contracted and Delegated Authority Subcommittee

To resume oversight hearings on the contracting-out procedures of consultants by the Federal Government.

2228 Dirksen Building

OCTOBER 8

10:00 a.m.

Select on Small Business

To hold hearings to review a proposal by the American Agricultural Investment Management Company on the investment of certain pension funds in farmland.

424 Russell Building

OCTOBER 17

9:30 a.m.

Judiciary

Antitrust, Monopoly and Business Rights Subcommittee

To hold hearings to review competitive issues relating to solar energy.

2228 Dirksen Building

OCTOBER 20

10:00 a.m.

Governmental Affairs

Intergovernmental Relations Subcommittee

To hold hearings to review volunteer organization participation in Federal programs.

3302 Dirksen Building